

TSD File Inventory Index

Date: November 15, 2006

Initial: C.M. Hester

| | | |
|---|---|--|
| Facility Name: <u>Pennock Refining Group (Blue Island Refinery)</u> | | |
| Facility Identification Number: <u>LD 005,109 822</u> | | |
| A.1 General Correspondence | | B.2 Permit Docket (B.1.2) |
| A.2 Part A / Interim Status <u>A.2</u> | 1 | .1 Correspondence |
| .1 Correspondence | | .2 All Other Permitting Documents (Not Part of the ARA) |
| .2 Notification and Acknowledgment | Y | C.1 Compliance - (Inspection Reports) <u>C.1</u> |
| .3 Part A Application and Amendments | Y | C.2 Compliance/Enforcement <u>C.2</u> |
| .4 Financial Insurance (Sudden, Non Sudden) | Y | .1 Land Disposal Restriction Notifications |
| .5 Change Under Interim Status Requests | | .2 Import/Export Notifications |
| .6 Annual and Biennial Reports | | C.3 FOIA Exemptions - Non-Releasable Documents <u>C.3</u> |
| A.3 Groundwater Monitoring | | D.1 Corrective Action/Facility Assessment |
| .1 Correspondence | | .1 RFA Correspondence |
| .2 Reports <u>A.3.4</u> | 1 | .2 Background Reports, Supporting Docs and Studies |
| A.4 Closure/Post Closure | | .3 State Prelim. Investigation Memos |
| .1 Correspondence <u>A.4.1</u> | 1 | .4 RFA Reports <u>D.1.4</u> |
| .2 Closure/Post Closure Plans, Certificates, etc | | D. 2 Corrective Action/Facility Investigation |
| A.5 Ambient Air Monitoring | | .1 RFI Correspondence |
| .1 Correspondence | | .2 RFI Workplan |
| .2 Reports | | .3 RFI Program Reports and Oversight |
| B.1 Administrative Record | | .4 RFI Draft /Final Report |

Total - 9

MAYER, BROWN & PLATT

190 SOUTH LA SALLE STREET

CHICAGO, ILLINOIS 60603-3441

RUSSELL R. EGGERT
DIRECT DIAL (312) 701-7350
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MAIN TELEPHONE
312-782-0600
MAIN FAX
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September 8, 1997

VIA MESSENGER

United States Environmental Protection Agency,
Region 5
Enforcement and Compliance
Assurance Branch (DRE-8J)
77 West Jackson Boulevard
Chicago, Illinois 60604
Attention: Allen T. Wojtes

Re: Clark Refining & Marketing, Inc.

Dear Mr. Wojtes:

Enclosed are Clark Refining and Marketing, Inc.'s Second Objections And Response To RCRA Section 3007 Information Request of July 30, 1997.

You will note that two of the documentary attachments, numbers 4 and 5, are not enclosed with this submission, and will be supplied shortly. Copies of these documents were misplaced during the duplicating process, after they were delivered to me by Clark, and the responsibility for the delay is mine. I apologize for any inconvenience this may cause.

Very truly yours,



Russell R. Eggert

cc: Richard Keffer (w/encl.)
Bill Irwin (w/encl.)

6222204.1 90897 1241C 95228409

MAYER, BROWN & PLATT

September 8, 1997

Page 2

bcc: John C. Berghoff, Jr. (w/encl.)
Tom Kuslik (w/encl.)

**CLARK REFINING & MARKETING, INC.'S SECOND
OBJECTIONS AND RESPONSE TO RCRA SECTION 3007
INFORMATION REQUEST OF JULY 30, 1997**

Clark Refining and Marketing, Inc. ("Clark") objects and responds to the information request under Section 3007 of the Resource Conservation and Recovery Act received on July 30, 1997 as follows:

General Objections

1. Clark objects to the information requests to the extent that they seek material beyond the scope of EPA's authority under RCRA.
2. Clark objects to the information requests on the ground that they are repetitive, duplicative, and unreasonably burdensome.
3. Clark objects to the information requests to the extent that they seek information protected by the attorney-client privilege or the attorney work product doctrine.

Responses

Request

1. According to an operator's logbook and discussions with Clark personnel during the NEIC inspection, the contents of Clark's desalter were emptied into the Tank 29 dike on at least one occasion. Set forth each occasion on which the contents of the desalter were emptied into the Tank 29 dike and the amount.
 - a) What is the construction of the area inside of the dike?
 - b) Is the area inside of the dike lined?
 - c) Was the dike lined when Clark emptied the desalter into the dike?
 - d) Were any notifications made to regulatory agencies regarding the placement of the desalter contents into the dike?

- e) Would the desalter contents be expected to exhibit any hazardous waste characteristics?
- f) When the desalter was emptied in the tank 29 dike, was a hazardous waste determination made?
- g) Were any samples collected or analyses run? If so, provide documentation of any hazardous waste determinations, sampling, and analysis performed before placing the material in the dike.
- h) Was the material ultimately removed from the diked area? Provide any available documentation describing waste determinations and management of the material.
- i) Provide all documentation related to your answer to these questions.

Response

- 1. Clark objects to the question because it misstates the facts. Subject to and without waiving the objection or the General Objections, Clark states that only the water layer of the desalter was discharged into the Tank 29 dike, on June 23, 1995. Clark is not aware of any other such discharges.
 - a) Tank containment dike is constructed of compacted soil, with approximately three inches of aggregate on top.
 - b) Clark objects to this question as vague, since "lined" is not defined. Subject to and without waiving this objection or the General Objections, the containment area qualifies as secondary containment under applicable SPCC rules.
 - c) See response to b) above.
 - d) No. Answering further, no notifications were required.

- e) Clark objects to this question because it misstates the facts. Subject to and without waiving this objection or the General Objections, the desalter water layer would not be expected to exhibit any hazardous waste characteristics.
- f) Clark objects to this question because it misstates the facts. Subject to and without waiving this objection or the General Objections, no.
- g) No.
- h) Yes. See document 03971612, previously supplied and hereby incorporated by reference.
- i) See document 03971612, previously supplied and hereby incorporated by reference.

Request

- 2. Previously answered.

Request

- 3. Previously answered.

Request

- 4. Black material was observed by NEIC around 59 sump, and on the ground inside the dike around Tanks 51 and 59, especially on the southern portion of the diked area (north of the warehouse, but inside of the tank dike).
 - a) What are the sources of the contamination inside the dike of Tanks 51 and 59, and around the 59 sump?
 - b) Has material been excavated from these areas in the past? List the date of each occasion the material has been excavated, the results of any hazardous waste determination made on the materials, including any analytical information, and the disposition of the material.
 - c) Provide all documentation related to your answer to these questions.

Response

4. Clark objects to this question as vague and imprecise. Subject to and without waiving the objection or the General Objections, Clark states:
- a) Possible sources include any of the following: Tank 51 stores asphalt and tank 59 is the equalization tank for process water that is fed to the API separator. The 59 sump receives oil that is manually decanted from tank 59. The sump also receives oil that is picked up from locations in the refinery by the vacuum truck. The liquid in the 59 sump is pumped to the slop oil tanks (Tanks 63 and 65). The slop oil will be processed in the crude unit. The pumps on the 59 sump are automatically operated via a level controller. In the past, the level controller has malfunctioned and the pumps have not turned on to pump down the level. The level in the sump would rise and oil would overflow the sump into the tank dike. This oil would then be vacuumed up and placed in the slop oil system.
 - b) Clark records indicate that material was excavated from the dike four times since January 1, 1993. The soil removed was placed in roll off boxes and shipped off site as non-hazardous waste. Process knowledge was used to characterize the waste, and no analyses were conducted of the soil.
 - c) Manifests for shipping the waste to offsite disposal facilities are being assembled and will be submitted as Attachment 4.

Request

5. Sheens have been observed by NEIC inspectors on water beneath the inlet pipe to tank dike 55 from Outfall 1B, and black stains were observed around the inside of the dike.
 - a) Have samples been collected of the liquid in the dike? If so, provide copies of any analytical information available.
 - b) Has Clark removed sludge, solids or any material(s) from the dike of Tank 55? Was a waste determination made on the materials(s)? What was the disposition of the materials(s)?
 - c) Provide all documentation related to your answer to these questions.

Response

5. Clark objects to this question as vague and imprecise. Subject to and without waiving this objection or the General Objections, Clark states:
 - a) No.
 - b) Yes. Yes. Lawfully disposed off-site.
 - c) Responsive documents are being assembled and will be submitted as Attachment 5.

Request

6. Provide a written explanation of how the material inside of the red rolloff box, observed by NEIC during the March 1997 site visits, was generated. Include the history of the contents of Tank 78. The rolloff was located north of the overflow pit inside of the dike of Tank 52. When the rolloff was first observed by NEIC it was not marked. A hazardous waste label was added by Clark, with the waste number D008. "Tank 78" was also marked on the label, and a date of "2/3/97." Elva Carusiello indicated that the final hazardous waste determination had not been done on the material, and that the information on the label was based on discussions with refinery personnel. What was the final determination of the regulatory status of the material, and what was the final disposition of the waste? Provide all documentation related to your answer to this question.

Response

6. The material in the red roll-off, box number 20-930, was generated from the tank clean out of Tank 78. Tank 78 normally stores diesel fuel and has stored only diesel fuel according to tank farm personnel. One person had said that it may have stored gasoline a long time ago. Therefore the D008 waste label was affixed to designate the possibility of the waste containing lead. A sample was taken to determine if the tank bottoms contained lead. The analytical showed that lead was present, but well under the regulatory TCLP limit. Since lead was present at some level it was determined that it should be characterized and disposed of as leaded tank bottoms. The Tank 78 waste was shipped off site, for incineration, to Trade Waste Incineration, Inc. in Sauget, IL. under a pre-existing "Leaded Tank Bottoms" profile. The manifest and laboratory report is attached as Attachment 6.

Request

7. A September 18, 1995 revision of the RCRA contingency plan was provided to NEIC during the week of March 3, 1997. During the week of March 17, 1997, Clark provided a March 20, 1997 transmittal letter, indicating that a contingency plan was distributed to local emergency services.
 - a) Which version of the contingency plan was transmitted with the letter?
 - b) Clark personnel indicated that the revised contingency plan may have been distributed during meetings prior to March 20, 1997. If so, which version of the plan was distributed, and what meetings was Clark referring to?
 - c) When was the last date, prior to March 20, 1997, that a contingency plan was provided to local emergency services, including the on-site emergency services?
 - d) Provide all documentation related to your answers to these questions.

Response

7.
 - a) March, 1997.
 - b) Available records do not indicate any except March, 1997.
 - c) Available Clark records do not indicate any except March, 1997, but the Village of Alsip has indicated that if an earlier submission had not been made it would have initiated an inquiry, and it did not do so, thus indicating that a prior timely submission had in fact been made.
 - d) None available at this time other than the contingency plan itself; investigation continues.

Request

8. During the NEIC inspection on March 19, 1997, Bill Irwin indicated he had attended training provided by U.S. EPA Region 5, and that Clark had not made further efforts to comply with the RCRA air emissions (Subpart CC) requirements, and no documentation was available regarding efforts to comply.
 - a) Provide the location and the date of the training session attended by Bill Irwin.
 - b) Provide any other information regarding Clark's efforts to determine which wastes are subject to the RCRA air emissions requirements (Subparts BB and CC), and dates the determinations were made.

Response

8. Clark objects to this question because it misstates the facts. Subject to and without waiving this objection or the General Objections, Clark states:
 - a) March 11, 1997, Collinsville, Illinois.
 - b) Clark has been and continues to diligently review and evaluate its facility in order to ensure continued compliance if, when the regulations become

effective on December 8, 1997, the regulations apply to the Blue Island refinery.

Request

9. Previously answered.

Request

10. With respect to all wastes generated by Clark at its Blue Island, Illinois facility, other than office waste, provide the following information:
- a) a description of the waste stream;
 - b) the testing or monitoring of the waste stream, if any, conducted by Clark or on behalf of Clark by one of its contractors;
 - c) the waste determinations made by Clark with respect to such waste stream; and
 - d) how each waste stream is managed.

Provide copies of all documentation related to your answer to this question, including, for the period of January 1, 1993 to the present, copies of all analyses and sampling results for such waste.

Response

10. Clark objects to this question on the ground that it is overbroad and exceeds EPA's information gathering authority under RCRA. Subject to and without waiving this objection or the General Objections, and construing the question to encompass only solid wastes regulated by RCRA, Clark states:

Hazardous Wastes

API sludge (K051), DAF float (K048), T59 sump sludge (F037) and API overflow pit sludge (K051) are all listed wastes and are handled similarly. When it is necessary to clean the API Separator or any of the other units, a contractor

with 40 hour trained personnel is scheduled to clean them using a vacuum truck and a centrifuge to dewater the sludge. The dewatered sludge is transferred to a container (roll-off bin) for disposal by thermal destruction.

Bundle Cleaning sludge (K050) - the environmental department is notified prior to cleaning heat exchanger bundles in order to prepare for managing the waste. Bundle cleaning sludge is collected after the heat exchanger cleaning process is complete and is transferred to a roll-off bin for disposal at a subtitle C landfill such as Adams Center, Emelle or Model City by 40 HR trained personnel (either internally or contractor). The roll-off bin is labeled with a hazardous waste generator's label. It is manifested and transported to a landfill when it is full or within 90 days, whichever is shorter.

Normally these wastes are characterized by generator's knowledge. Periodically, wastes from this category are analyzed by a certified laboratory to confirm knowledge of the waste's characteristics.

Special Wastes

Special waste streams which have been profiled include: spent mixed catalyst, petroleum contaminated soil, petroleum contaminated material, caustic contaminated soil, water filter scale and cooling tower sludge and general refinery sludge.

Normally, special waste disposal is scheduled by maintenance or operations. In general, Clark uses generator's knowledge to determine the waste classification. If there is a potential for the waste to be a characteristic hazardous

waste, it is sampled and analytical is completed on the sample by a certified laboratory for classification at the time of generation. The waste is then containerized, labeled and manifested for proper disposal.

Attached as Exhibit 10 is the roll-off bin summary sheet (1995 to present), waste manifest summary sheets, analytical reports and waste manifests from January 1, 1993 to present. The roll-off bin summary sheet was not initiated until 1995.

11. Provide the following notarized certification by a responsible company officer:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in responding to this information request for the production of documents. Based on my review of all relevant documents and inquiry of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Bill Irwin
Interim Environmental Manager

RCRA ATTACHMENT 6

0997-10858



PLEASE TYPE

(Form designed for use on elite (12-pitch) typewriter.)

EPA Form 8700-22 (Rev. 6-89)

Form Approved. OMB No. 2050-0039, Expires 9-30-96

| UNIFORM HAZARDOUS WASTE MANIFEST | | 1. Generator's US EPA ID No. I L D 0 0 5 1 0 9 8 2 2 9 7 3 0 1 | | 2. Page 1 of 1 | | Information in the shaded areas is not required by Federal law, but is required by Illinois law. | | | | | |
|--|--|---|--|---|--|--|--|---------------------|--|--------------------|--|
| 3. Generator's Name and Mailing Address CLARK REFINING & MARKETING INC 131 STREET & REDZIE AVENUE BLUE ISLAND, IL 60406 | | | | A. Illinois Manifest Document Number IL / 7272181 FEE PAID IF APPLICABLE | | | | | | | |
| 4. *24 HOUR EMERGENCY AND SPILL ASSISTANCE NUMBERS* (888) 353-2387 | | | | B. Illinois Generator's ID 10 13 11 0 2 1 4 0 0 0 5 | | | | | | | |
| 5. Transporter 1 Company Name OZINGA TRANSPORTATION, INC. | | | | C. Illinois Transporter's ID 1 0 7 0 | | | | | | | |
| 6. US EPA ID Number I L D 9 8 2 0 6 7 1 7 5 | | | | D. (800) 474-6874 Transporter's Phone | | | | | | | |
| 7. Transporter 2 Company Name | | | | E. Illinois Transporter's ID | | | | | | | |
| 8. US EPA ID Number | | | | F. () Transporter's Phone | | | | | | | |
| 9. Designated Facility Name and Site Address TRADE WASTE INCINERATION, INC. 7 MOBILE AVENUE SAUGET, IL 62201-1069 | | | | G. Illinois Facility's ID 1 6 3 1 2 1 0 0 0 9 | | | | | | | |
| 10. US EPA ID Number I L D 0 9 8 6 4 2 4 2 4 | | | | H. Facility's Phone (618) 271-2804 | | | | | | | |
| 11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) | | | | 12. Containers | | 13. Total Quantity | | 14. Unit Wt/Vol | | I. Waste No. | |
| a. RQ HAZARDOUS WASTE, SOLID, n.o.s. 9, NA3077, III (D008, D018, K052) | | | | No. Type | | Quantity | | Unit | | Waste No. | |
| | | | | 001 CM | | 00020 | | Y | | XX K 0 5 2 | |
| b. | | | | | | | | | | XX 0 9 1 0 1 0 1 1 | |
| c. | | | | | | | | | | XX | |
| d. | | | | | | | | | | XX | |
| J. Additional Description for Materials Listed Above A) LEADED TANK BOTTOMS/BU5588 /WIP # 272210 A.E.T.S.-P.O.# 970008-4703 SID 164004 OZINGA-P.O.# 950045-11980 BOX #20-930 | | | | K. Handling Codes for Wastes Listed Above In Item #14 | | | | | | | |
| 15. Special Handling Instructions and Additional Information for manifest discrepancies call 773-646-8331 | | | | | | | | | | | |
| 16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford. | | | | | | | | | | | |
| Printed/Typed Name ELVA CARUSIELLO/ASST. ENV. MGR. | | | | Signature Elva Carusello | | | | Date 0 3 2 1 9 7 | | | |
| 17. Transporter 1 Acknowledgement of Receipt of Materials | | | | Signature John Frison | | | | Date 0 3 2 1 9 7 | | | |
| Printed/Typed Name JOHN FRISON | | | | Signature | | | | Date | | | |
| 18. Transporter 2 Acknowledgement of Receipt of Materials | | | | Signature | | | | Date | | | |
| Printed/Typed Name | | | | Signature | | | | Date | | | |
| 19. Discrepancy Indication Space 0997-10859 | | | | | | | | | | | |
| 20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19. | | | | | | | | | | Date | |
| Printed/Typed Name Mim Krug | | | | Signature Mim Krug | | | | Date 03 24 97 | | | |

This Agency is authorized to require, pursuant to Illinois Revised Statutes, 1989, Chapter 111 1/2, Section 1004 and 1027, that this information be submitted to the Agency. Failure to provide this information may result in a civil penalty against the owner or operator not to exceed \$25,000 per day of violation. Falsification of this information may result in a fine up to \$50,000 per day of violation and imprisonment up to 5 years. This form has been approved by the Forms Management Center.

COPY 1. TSD MAIL TO GENERATOR

95733

In case of a spill call the Illinois Office of Emergency Response at 217/782-7860 and the National Response Center at 800/424-8802 or 202/426-2675.

PLEASE TYPE

(Form designed for use on elite (12-pitch) typewriter.)

State Form LPC 62 8/81

IL532-0610

EPA Form 8700-22 (Rev. 6-89)

Form Approved, OMB No. 2050-0039, Expires 9-30-96

| | | | | | | | |
|--|--|---------------------------------|--|--|--|--|--|
| UNITED STATES OF AMERICA | | HAZARDOUS WASTE MANIFEST | | EPA Form 6700-22 (Rev. 6-89) | | Form Approved, OMB No. 2050-0039, Expires 9-30-96 | |
| 1. Generator's US EPA ID No. IL D00510982297301 | | Manifest Document No. | | 2. Page 1 of 1 | | Information in the shaded areas is not required by Federal law, but is required by Illinois law. | |
| 3. Generator's Name and Mailing Address CLARK REFINING & MARKETING INC 151 STREET & KEDZIE AVENUE BLOOMINGTON, IL 60010 | | | | Location If Different | | | |
| 4. 24 HOUR EMERGENCY AND SPILL ASSISTANCE NUMBERS* (888) 353-0387 | | | | A. Illinois Manifest Document Number IL 7272181 FEE PAID IF APPLICABLE | | | |
| 5. Transporter 1 Company Name OZINGA TRANSPORTATION, INC. | | | | B. Illinois Generator's ID 10131101214101015 | | | |
| 6. US EPA ID Number IL D982067175 | | | | C. Illinois Transporter's ID 1101710 | | | |
| 7. Transporter 2 Company Name | | | | D. (800) 474-6874 Transporter's Phone | | | |
| 8. US EPA ID Number | | | | E. Illinois Transporter's ID | | | |
| 9. Designated Facility Name and Site Address TRADE WASTE INCINERATION, INC. 7 MOBILE AVENUE SAUGET, IL 62201-1069 | | | | F. () Transporter's Phone | | | |
| 10. US EPA ID Number IL D098642424 | | | | G. Illinois Facility's ID 1631210009 | | | |
| 11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) a. RQ HAZARDOUS WASTE, SOLID, n.o.s. 9, NA3077.III (D008, D018, K052) | | | | 12. Containers No. Type | | 13. Total Quantity | |
| b. | | c. | | d. | | 14. Unit Wt/Vol | |
| | | | | | | I. Waste No. | |
| | | | | | | EPA HW Number XX K052 | |
| | | | | | | Authorization Number 01910101011 | |
| | | | | | | EPA HW Number XX | |
| | | | | | | Authorization Number | |
| | | | | | | EPA HW Number XX | |
| | | | | | | Authorization Number | |
| | | | | | | EPA HW Number XX | |
| | | | | | | Authorization Number | |
| J. Additional Description for Materials Listed Above A) LEADED TANK BOTTOMS/BU5588 /WIP # 272210 A.E.T.S.-P.O.# 970008-4703 CID 164004 OZINGA-P.O. # 950045-11980 BOX #20-930 | | | | K. Handling Codes for Wastes Listed Above In Item #14 | | | |
| 15. Special Handling Instructions and Additional Information for manifest discrepancies call 773-646-8331 | | | | | | | |
| 16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford. | | | | | | | |
| Printed/Typed Name ELVA CARUSIELLO/ASST. ENV. MGR. | | | | Signature <i>Elva Carusiello</i> | | Date Month Day Year 032197 | |
| 17. Transporter 1 Acknowledgement of Receipt of Materials | | | | Signature | | Date | |
| Printed/Typed Name | | | | Signature | | Date | |
| 18. Transporter 2 Acknowledgement of Receipt of Materials | | | | Signature | | Date | |
| Printed/Typed Name | | | | Signature | | Date | |
| 19. Discrepancy Indication Space | | | | | | | |
| 0997-10860 | | | | | | | |
| 20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19. | | | | Date | | | |
| Printed/Typed Name | | | | Signature | | Month Day Year | |

This Agency is authorized to require, pursuant to Illinois Revised Statute, 1989, Chapter 111 1/2, Section 1004 and 1021, that this information be submitted to the Agency. Failure to provide this information may result in a civil penalty against the owner or operator not to exceed \$25,000 per day of violation and imprisonment up to 5 years. This form has been approved by the Forms Management Center. Falsification of this information may result in a fine up to \$50,000

COPY 6. GENERATOR'S COPY

In case of a spill call the Illinois Office of Emergency Response at 217 / 782-7860 and the National Response Center at 800 / 424-8802 or 202 / 426-2675

5/17/96

LAND DISPOSAL NOTIFICATION AND CERTIFICATION FORM (UTS)

TWI-BU5588

Generator Name: CLARK OIL & REFINING CORP

Manifest Doc. No.: 97301

Profile Number: BU5588

State Manifest No: EL7272181

Is this waste a non-wastewater or wastewater? (See 40 CFR 268.2) Check ONE: Nonwastewater ☒ Wastewater ☐
 If this waste is subject to any California List restrictions enter the letter from below (either A, B.1, or B.2) next to each restriction that is applicable:

- HOCs, PCBs, Acid, Metals, Cyanides
3. Identify ALL USEPA hazardous waste codes that apply to this waste shipment, as defined by 40 CFR 261. For each waste code, identify the corresponding subcategory, or check NONE if the waste code has no subcategory. Spent solvent and California List treatment standards are listed on the following page. If F039, multi-source leachate applies those constituents must be listed and attached by the generator. If D001, D002, or D012-D043 requires treatment of the characteristic and meet 268.48 standards, then the underlying hazardous constituent(s) present in the waste must be listed and attached.

| REF # | 4. US EPA HAZARDOUS WASTE CODE(S) | 5. SUBCATEGORY ENTER THE SUBCATEGORY DESCRIPTION. IF NOT APPLICABLE, SIMPLY CHECK NONE | | 6. HOW MUST THE WASTE BE MANAGED? ENTER LETTER FROM BELOW |
|-------|-----------------------------------|--|------|--|
| | | DESCRIPTION | NONE | |
| 1 | D008 | | X | A |
| 2 | D018 | Non CWA | | A |
| 3 | K052 | | X | A |
| 4 | | | | |
| 5 | | | | |

To identify F039 or D001, D002, D012-D043, underlying hazardous constituent(s), use the "F039/Underlying Hazardous Constituent Form" provided (CWM-2004) and check here: ☒ X
 If no UHCs are present in the waste upon its initial generation check here: ☐
 To list additional USEPA waste code(s) and subcategory(ies), use the supplemental sheet provided (CWM-2005-B) and check here: ☐

HOW MUST THE WASTE BE MANAGED? In column 7 above, enter the letter (A, B1, B2, B3, C, D or E) below that describes how the waste must be managed to comply with the land disposal regulations (40 CFR 268.7). Please understand that if you enter the letter B1, B2, B3, or D, you are making the appropriate certification as provided below.

A. RESTRICTED WASTE REQUIRES TREATMENT

This waste must be treated to the applicable treatment standards set forth in 40 CFR Part 268 Subpart D, 268.32, or RCRA Section 3004(d).

For Hazardous Debris: "This hazardous debris is subject to the alternative treatment standards of 40 CFR Part 268.45."

B.1 RESTRICTED WASTE TREATED TO PERFORMANCE STANDARDS

"I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that, based upon my inquiry of those individuals immediately responsible for obtaining this information, I believe that the treatment process has been operated and maintained properly so as to comply with the performance levels specified in 40 CFR part 268 Subpart D and all applicable prohibitions set forth in 40 CFR 268.32 or RCRA Section 3004(d) without impermissible dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."

B.2 RESTRICTED WASTES FOR WHICH THE TREATMENT STANDARD IS EXPRESSED AS A SPECIFIED TECHNOLOGY (AND THE WASTE HAS BEEN TREATED BY THAT TECHNOLOGY)

"I certify under penalty of the law that the waste has been treated in accordance with the requirements of 40 CFR 268.42. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."

B.3 GOOD FAITH ANALYTICAL CERTIFICATION FOR INCINERATED ORGANICS

"I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that, based upon my inquiry of those individuals immediately responsible for obtaining this information, I believe that the nonwastewater organic constituents have been treated by incineration in units operated in accordance with 40 CFR Part 264 Subpart O or Part 265 Subpart O, or by combustion in fuel substitution units operating in accordance with applicable technical requirements, and I have been unable to detect the nonwastewater organic constituents despite having used best good faith efforts to analyze for such constituents. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."

C. RESTRICTED WASTE SUBJECT TO A VARIANCE

This waste is subject to a national capacity variance, a treatability variance, or a case-by-case extension. Enter the effective date of prohibition in column 7 above.

For Hazardous Debris: "This hazardous debris is subject to the alternative treatment standards of 40 CFR Part 268.45."

D. RESTRICTED WASTE CAN BE LAND DISPOSED WITHOUT FURTHER TREATMENT

"I have determined that this waste meets all applicable treatment standards set forth in 40 CFR Part 268 Subpart D, and all applicable prohibition levels set forth in Section 268.32 or RCRA Section 3004(d), and therefore, can be land disposed without further treatment. A copy of all applicable treatment standards and specified treatment methods is maintained at the treatment, storage and disposal facility named above." "I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 40 CFR Part 268 Subpart D and all applicable prohibitions set forth on 40 CFR 268.32 or RCRA section 3004(d). I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting false certifications, including the possibility of a fine and imprisonment."

E. WASTE IS NOT CURRENTLY SUBJECT TO PART 268 RESTRICTIONS

This waste is a newly identified waste that is not currently subject to any 40 CFR Part 268 restrictions.

I hereby certify that all information submitted in this and all associated documents is complete and accurate, to the best of my knowledge and information.

Signature

Title

ASSET ENV. MGR

Date

3-21-97

1990 Chemical Waste Management, Inc. - 12/94 - Form CWM-2005-A

0997-10861

SOLVENT AND CALIFORNIA LIST TREATMENT STANDARDS

If the waste identified on the first page of this form is described by any of the following USEPA hazardous waste codes: F001, F002, F003, F004, F005, and all solvent constituents will not be monitored by the treater, and/or this hazardous waste is subject to any prohibitions identified as California List restrictions (40 CFR 268.32 and/or RCRA Section 3004(d)), each constituent MUST be identified below by checking the appropriate box, and this page must accompany the shipment, along with the previous page of this form. If the waste code F039 describes this waste, then the corresponding list of constituents must be attached. If D001, D002, or D012-D043 require treatment to 268.48 standards, then the underlying hazardous constituent(s) must also be attached.

SOLVENT WASTE TREATMENT STANDARDS

| F001 through F005 spent solvent constituents and their associated USEPA hazardous waste code(s). | 1 Treatment Standard | | F001 through F005 spent solvent constituents and their associated USEPA hazardous waste code(s). | 1 Treatment Standard | |
|--|-------------------------|----------------|--|-------------------------|----------------|
| | Wastewaters | Nonwastewaters | | Wastewaters | Nonwastewaters |

1 All spent solvent treatment standards are measured through a total waste analysis (TCA), unless otherwise noted. Wastewater units are mg/l, nonwastewater are mg/kg.

| CALIFORNIA LIST TREATMENT STANDARDS--40CFR 268.32, 40 CFR 268.42 and RCRA Section 3004(d) | | |
|---|---|---|
| A waste must first be designated as a US EPA Hazardous waste before the waste can be subject to the California List restrictions. | | |
| Restricted waste description | Prohibition | Treatment Standard |
| Liquid* or nonliquid wastes containing Halogenated Organic Compounds listed in 40 CFR 268, Appendix III | Liquid* wastes: Greater than or equal to 1.000 mg/l Nonliquid wastes: Greater than or equal to 1.000 mg/kg | 40 CFR 268.42(a)(2) - INCIN or FSUBS |
| Liquid* wastes containing Poly Chlorinated Biphenyls (PCBs) | Greater than or equal to 50 ppm | 40CFR 268.42(a)(1) - INCIN or FSUBS Also see 40 CFR 761.60 and .70 |
| Liquid* wastes containing Metals | One or more of the following metals (or elements) at concentrations greater than or equal to the following: Nickel and/or compounds as Ni: 134mg/l Thallium and/or compounds as Th: 130mg/l | RCRA Section 3004(d) |
| Note: Hazardous wastes containing As, Cd, Cr, Hg, Pb, or Se must be evaluated if not characteristically hazardous for that metal | | |

* - For the definition "liquid" refer to Method 9095, the Paint Filter Liquids Test from EPA manual SW-846

SUBCATEGORY REFERENCE

D001:

- A. Ignitable characteristic wastes, except for the 40 CFR 261.21(a)(1) High TOC subcategory, that are managed in non-CWA/non-CWA equivalent/non-Class I SDWA systems.
- B. Ignitable characteristic wastes, except for the 40 CFR 261.21(a)(1) High TOC subcategory, that are managed in CWA/CWA-equivalent or Class I SDWA systems.
- C. High TOC Ignitable characteristic liquids subcategory based on 40 CFR 261.21(a)(1) - Greater than or equal to 10% total organic carbon.

D002:

- D. Corrosive characteristic wastes that are managed in non-CWA/non-CWA-equivalent/non-Class I SDWA systems.
- E. Corrosive characteristic wastes that are managed in CWA, CWA-equivalent, or Class I SDWA systems.

F039/UNDERLYING HAZARDOUS CONSTITUENT FORM(UTS)

Generator Name: CLARK OIL & REFINING CORP
 Profile Number: BU5588 - TWI

Manifest Doc. No.: 97301
 State Manifest No.: 12-7272181

If B1, D002, or D012-D043 requires treatment to 268.48 standards, then each underlying hazardous constituent present in the waste at the point of generation, and at a level above the UTS constituent specific treatment standard, must be listed. Write the letter (A, B1, B3, or C which corresponds to the letter on form CWM-2001A) beside each constituent present, to properly describe how the constituent(s) must be managed under 40 CFR 268.7.

| CONSTITUENT | HOW MUST THIS CONSTITUENT BE MANAGED? | WW (mg/l) | NWW (mg/Kg) | CONSTITUENT | HOW MUST THIS CONSTITUENT BE MANAGED? | WW (mg/l) | NWW (mg/Kg) |
|---|---------------------------------------|--------------------|--------------------|--|---------------------------------------|--------------------|---------------------|
| Acenaphthylene | | 0.059 | 3.4 | p-Chloroaniline | | 0.46 | 16 |
| Acenaphthene | | 0.059 | 3.4 | Chlorobenzene | | 0.057 | 6.0 |
| Acetone | | 0.28 | 160 | Chlorobenzilate | | 0.10 | NA |
| Acetonitrile | | 5.6 | 1.8 ² | 2-chloro-1,3-butadiene | | 0.057 | 0.28 ² |
| Acetophenone | | 0.010 | 9.7 | Chlorodibromomethane | | 0.057 | 15 |
| 2-Acetylaminofluorene | | 0.059 | 140 | Chloroethane | | 0.27 | 6.0 |
| Acrolein | | 0.29 | NA | bis-(2-Chloroethoxy) methane | | 0.036 | 7.2 |
| Acrylamide | | 19 ² | 23 ² | bis-(2-Chloroethyl) ether | | 0.033 | 6.0 |
| Acrylonitrile | | 0.24 | 84 | Chloroform | | 0.046 | 6.0 |
| Aldrin | | 0.021 | 0.066 | bis-(2-Chloroisopropyl) ether | | 0.055 | 7.2 |
| 4-Aminobiphenyl | | 0.13 | NA | p-Chloro-m-cresol | | 0.018 | 14 |
| Aniline | | 0.81 | 14 | 2-Chloroethyl Vinyl ether | | 0.062 ² | NA ² |
| Anthracene | | 0.059 | 3.4 | Chloromethane (methyl chloride) | | 0.19 | 30 |
| Aramite | | 0.36 | NA | 2-Chloronaphthalene | | 0.055 | 5.6 |
| alpha-BHC | | 0.00014 | 0.066 | 2-Chlorophenol | | 0.044 | 5.7 |
| beta-BHC | | 0.00014 | 0.066 | 3-Chloropropylene | | 0.036 | 30 |
| delta-BHC | | 0.023 | 0.066 | Chrysene | | 0.059 | 3.4 |
| gamma-BHC (Lindane) | | 0.0017 | 0.066 | o-Cresol | | 0.11 | 5.6 |
| Benzene | A | 0.14 | 10 | Cresol (m- and p- isomers) | | 0.77 | 5.6 |
| Benzo (a) anthracene | | 0.059 | 3.4 | Cyclohexanone | | 0.36 | 0.75 ^{1,2} |
| Benzal chloride | | 0.055 ² | 6.0 ² | 1,2-Dibromo-3-Chloropropane | | 0.11 | 15 |
| Benzo (b) fluoranthene ⁴ | | 0.11 | 6.8 | 1,2-Dibromoethane (Ethylene dibromide) | | 0.028 | 15 |
| Benzo (k) fluoranthene ⁴ | | 0.11 | 6.8 | Dibromomethane | | 0.11 | 15 |
| Benzo (g,h,i) perylene | | 0.0055 | 1.8 | 2,4-Dichlorophenoxyacetic acid (2,4-D) | | 0.72 | 10 |
| Benzo (a) pyrene | | 0.061 | 3.4 | o,p-DDD | | 0.023 | 0.087 |
| Bromodichloromethane | | 0.35 | 15 | p,p-DDD | | 0.023 | 0.087 |
| Bromoform (Tribromomethane) | | 0.63 | 15 | o,p-DDE | | 0.031 | 0.087 |
| Bromomethane (methyl bromide) | | 0.11 | 15 | p,p-DDE | | 0.031 | 0.087 |
| 4-Bromophenyl phenyl ether | | 0.055 | 15 | o,p-DDT | | 0.0039 | 0.087 |
| n-Butanol (n-butyl alcohol) | | 5.6 | 2.6 | p,p-DDT | | 0.0039 | 0.087 |
| Butyl benzyl phthalate | | 0.017 | 28 | Dibenzo (a,h) anthracene | | 0.055 | 8.2 |
| 2-sec-Butyl-4,6-dinitrophenol (Dinoseb) | | 0.066 | 2.5 | Dibenzo (a,e) pyrene | | 0.061 | NA |
| Carbon disulfide | | 3.8 | 4.8 ^{1,2} | m-Dichlorobenzene | | 0.036 | 6.0 |
| Carbon tetrachloride | | 0.057 | 6.0 | o-Dichlorobenzene | | 0.088 | 6.0 |
| Chlordane (alpha & gamma) | | 0.0033 | 0.26 | p-Dichlorobenzene | | 0.090 | 6.0 |

PAGE: 1 OF 3

M-2004(01/95)

If you have any questions, please call 1-800-843-3604 for Customer Service.
 Chemical Waste Management, Inc.

0997-10863

| CONSTITUENT | HOW MUST THIS CONSTITUENT BE MANAGED? | WW (mg/l) | NWW (mg/Kg) | CONSTITUENT | HOW MUST THIS CONSTITUENT BE MANAGED? | WW (mg/l) | NWW (mg/Kg) |
|--------------------------------|---------------------------------------|-------------------|-----------------|-------------------------------------|---------------------------------------|--------------------|---------------------|
| Dichlorodifluoromethane | | 0.23 | 7.2 | Fluoranthene | | 0.068 | 3.4 |
| 1,1-Dichloroethane | | 0.059 | 6.0 | Fluorene | | 0.059 | 3.4 |
| 1,2-Dichloroethane | | 0.21 | 6.0 | Heptachlor | | 0.0012 | 0.066 |
| 1,1-Dichloroethylene | | 0.025 | 6.0 | Heptachlor epoxide | | 0.016 | 0.066 |
| trans-1,2-Dichloroethylene | | 0.054 | 30 | Hexachlorobenzene | | 0.055 | 10 |
| 2,4-Dichlorophenol | | 0.044 | 14 | Hexachlorobutadiene | | 0.055 | 5.6 |
| 2,6-Dichlorophenol | | 0.044 | 14 | Hexachlorocyclopentadiene | | 0.057 | 2.4 |
| 1,2-Dichloropropane | | 0.85 | 18 | Hexachlorodibenzo-furans | | 0.000063 | 0.001 |
| cis-1,3-Dichloropropene | | 0.036 | 18 | Hexachlorodibenzo-p-dioxins | | 0.000063 | 0.001 |
| trans-1,3-Dichloropropene | | 0.036 | 18 | Hexachloroethane | | 0.055 | 30 |
| Dieldrin | | 0.017 | 0.13 | Hexachloropropylene | | 0.035 | 30 |
| Diethyl phthalate | | 0.20 | 28 | Indeno (1,2,3-c,d) pyrene | | 0.0055 | 3.4 |
| p-Dimethylaminoazobenzene | | 0.13 ² | NA | Iodomethane | | 0.19 | 65 |
| 2,4-Dimethyl phenol | | 0.036 | 14 | Isobutanol (Isobutyl Alcohol) | | 5.6 | 170 |
| Dimethyl phthalate | | 0.047 | 28 | Isodrin | | 0.021 | 0.066 |
| Di-n-butyl phthalate | | 0.057 | 28 | Isosafrole | | 0.081 | 2.6 |
| 1,4-Dinitrobenzene | | 0.32 | 2.3 | Kepon | | 0.0011 | 0.13 |
| 4,6-Dinitro-o-cresol | | 0.28 | 160 | Methylacrylonitrile | | 0.24 | 84 |
| 2,4-Dinitrophenol | | 0.12 | 160 | Methanol | | 5.6 | 0.75 ^{1,2} |
| 2,4-Dinitrotoluene | | 0.32 | 140 | Methapyrilene | | 0.081 | 1.5 |
| 2,6-Dinitrotoluene | | 0.55 | 28 | Methoxychlor | | 0.25 | 0.18 |
| Di-n-octyl phthalate | | 0.017 | 28 | 3-Methylcholanthrene | | 0.0055 | 15 |
| Di-n-propylnitrosoamine | | 0.40 | 14 | 4,4-Methylene-bis-(2-chloroaniline) | | 0.50 | 30 |
| 1,4-Dioxane | | NA | 170 | Methylene chloride | | 0.089 | 30 |
| Diphenyl amine | | 0.92 | 13 ³ | Methyl ethyl ketone | | 0.28 | 36 |
| Diphenylnitrosoamine | | 0.92 | 13 ³ | Methyl isobutyl ketone | | 0.14 | 33 |
| 1,2-Diphenyl hydrazine | | 0.087 | NA | Methyl methacrylate | | 0.14 | 160 |
| Disulfoton | | 0.017 | 6.2 | Methyl methanesulfonate | | 0.018 | NA |
| Endosulfan I | | 0.023 | 0.066 | Methyl parathion | | 0.014 | 4.6 |
| Endosulfan II | | 0.029 | 0.13 | Naphthalene | A | 0.059 | 5.6 |
| Endosulfan sulfate | | 0.029 | 0.13 | 2-Naphthylamine | | 0.52 | NA |
| Endrin | | 0.0028 | 0.13 | o-Nitroaniline | | 0.27 ² | 14 ² |
| Endrin aldehyde | | 0.025 | 0.13 | p-Nitroaniline | | 0.028 | 28 |
| Ethyl acetate | | 0.34 | 33 | Nitrobenzene | | 0.068 | 14 |
| Ethyl benzene | A | 0.057 | 10 | 5-Nitro-o-toluidine | | 0.32 | 28 |
| Ethyl cyanide (Propanenitrile) | | 0.24 | 360 | o-Nitrophenol | | 0.028 ² | 13 ² |
| Ethyl ether | | 0.12 | 160 | p-Nitrophenol | | 0.12 | 29 |
| bis-(2-Ethylhexyl) phthalate | | 0.28 | 28 | N-Nitrosodiethylamine | | 0.40 | 28 |
| Ethyl methacrylate | | 0.14 | 160 | N-Nitrosodimethylamine | | 0.40 | 2.3 ² |
| Ethylene oxide | | 0.12 | NA | N-Nitroso-di-n-butylamine | | 0.40 | 17 |
| Formaldehyde | | 0.017 | 15 | N-Nitrosomethylethylamine | | 0.40 | 2.3 |

| CONSTITUENT | HOW MUST THIS CONSTITUENT BE MANAGED? | WW (mg/l) | NWW (mg/Kg) | CONSTITUENT | HOW MUST THIS CONSTITUENT BE MANAGED? | WW (mg/l) | NWW (mg/Kg) |
|--------------------------------------|---------------------------------------|-----------|-------------|---|---------------------------------------|-----------|----------------------|
| N-Nitrosomorpholine | | 0.40 | 2.3 | Toxaphene | | 0.0095 | 2.6 |
| N-Nitrosopiperidine | | 0.013 | 35 | 1,2,4-Trichlorobenzene | | 0.055 | 19 |
| N-Nitrosopyrrolidine | | 0.013 | 35 | 1,1,1-Trichloroethane | | 0.054 | 6.0 |
| Parathion | | 0.014 | 4.6 | 1,1,2-Trichloroethane | | 0.054 | 6.0 |
| PCBs (Total) all isomers or Aroclors | | 0.10 | 10 | Trichloroethylene | | 0.054 | 6.0 |
| Pentachlorobenzene | | 0.055 | 10 | Trichloromonofluoromethane | | 0.020 | 30 |
| Pentachloroethane | | 0.055 | 6.0 | 2,4,5-Trichlorophenol | | 0.18 | 7.4 |
| Pentachlorodibenzo-furans | | 0.000035 | 0.001 | 2,4,6-Trichlorophenol | | 0.035 | 7.4 |
| Pentachlorodibenzo-p-dioxins | | 0.000063 | 0.001 | 1,2,3-Trichloropropane | | 0.85 | 30 |
| Pentachloronitrobenzene | | 0.055 | 4.8 | 1,1,2-Trichloro-1,2,2-trifluoroethane | | 0.057 | 30 |
| Pentachlorophenol | | 0.089 | 7.4 | Tris(2,3-dibromopropyl) phosphate | | 0.11 | 0.10 ² |
| Phenacetin | | 0.081 | 16 | Vinyl chloride | | 0.27 | 6.0 |
| Phenathrene | | 0.059 | 5.6 | Xylenes (sum of o-, m-, and p- isomers) | A | 0.32 | 30 |
| Phenol | | 0.039 | 6.2 | Cyanides (Total) | | 1.2 | 590 |
| Phorate | | 0.021 | 4.6 | Cyanides (Amenable) | | 0.86 | 30 ² |
| Phthalic acid | | 0.055 | 28 | Antimony | | 1.9 | 2.1 ¹ |
| Phthalic anhydride | | 0.055 | 28 | Arsenic | | 1.4 | 5.0 ¹ |
| Pronamide | | 0.093 | 1.5 | Barium | | 1.2 | 7.6 ¹ |
| Pyrene | | 0.067 | 8.2 | Beryllium | | 0.82 | 0.014 ^{1,2} |
| Pyridine | | 0.014 | 16 | Cadmium | | 0.69 | 0.19 ¹ |
| Safrole | | 0.081 | 22 | Chromium (Total) | | 2.77 | 0.86 ¹ |
| Silvex (2,4,5-TF) | | 0.72 | 7.9 | Fluoride | | 35 | NA |
| 2,4,5-T | | 0.72 | 7.9 | Lead | A | 0.69 | 0.37 ¹ |
| 1,2,4,5-Tetrachlorobenzene | | 0.055 | 14 | Mercury (Not from retorting) | | 0.15 | 0.025 ¹ |
| Tetrachlorodibenzo-furans | | 0.000063 | 0.001 | Nickel | | 3.98 | 5.0 ¹ |
| Tetrachlorodibenzo-p-dioxins | | 0.000063 | 0.001 | Selenium | | 0.82 | 0.16 ¹ |
| 1,1,1,2-Tetrachloroethane | | 0.057 | 6.0 | Silver | | 0.43 | 0.30 ¹ |
| 1,1,2,2-Tetrachloroethane | | 0.057 | 6.0 | Sulfide | | 14 | NA |
| Tetrachloroethylene | | 0.056 | 6.0 | Thallium | | 1.4 | 0.078 ^{1,2} |
| 2,3,4,6-Tetrachlorophenol | | 0.030 | 7.4 | Zinc | | 2.61 | NA |
| Toluene | A | 0.080 | 10 | | | | |

1 These concentrations are expressed in mg/l and are measured through an analysis of TCLP extract; all others measured through a total waste analysis.

2 These constituents are only applicable as Underlying Hazardous Constituents. They are not constituents requiring treatment in F039 wastes.

3 Vanadium is not an Underlying Hazardous Constituent requiring treatment in D001, D002, or D012-D043 wastes.

4 These compounds are regulated by the sum of their concentration instead of as individual constituents.

A signature is required, only if the original waste has been treated to remove any hazardous characteristic(s).

"I certify under penalty of law that the waste has been treated in accordance with the requirements of 40 CFR 268.40 to remove the hazardous characteristic. This decharacterized waste contains underlying hazardous constituents that require further treatment to meet universal treatment standards. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."

Signature: Elmer C. ... Title: Asst. Env. Mgr. Date: 3-21-97

PAGE: 3 OF 3

CWM-2004(01/95)

0997-10865



ENVIRONMENTAL MONITORING AND TECHNOLOGIES, INC.

8100 North Austin Avenue
Morton Grove, Illinois 60053-3203
847-967-6666
FAX: 847-967-6735

LABORATORY REPORT

159722

Clark Refining & Marketing, Inc.
131st & Kedzie Avenue
Blue Island, IL 60406

Report Date: 03/14/97
Sample Received: 03/07/97

Sample Description: Soil Grab - TANK 78
Sample No.: 05077

| Analyte | Result | Date Completed | By | Method |
|----------------------|-------------------|----------------|----|--------------------|
| Ash content | 56.7% | 03/11/97 | SS | 2540E(2) |
| Water Compatibility | NO REACTION SINKS | | | |
| Cyanide Screen | <5.0 | 03/12/97 | DM | D5058-90(21) |
| Open Cup Flash Point | >180.*F | 03/11/97 | AG | D5049-90(21) |
| Odor of sample | NONE | 03/12/97 | DM | D92-90(21) |
| Paint Filter | PASS | 03/12/97 | DM | D4979-89(21) |
| Total Phenolics | 33.3 | 03/12/97 | DM | 9095(6) |
| Physical Appearance | BLACK SOIL | 03/12/97 | TS | 9065(6) |
| Radiation Screen | at background | 03/12/97 | DM | D4979-89(21) |
| Total Solids | 72.3% | 03/08/97 | DM | M3 survey meter() |
| Reactive Sulfide | <10.0 | 03/11/97 | SS | 2540B(2) |
| pH (10% Solution) | 6.42 | 03/10/97 | RG | 7.3.4(6) |
| | | 03/12/97 | DM | 9045(6) |

Analysis Performed on TCLP Extract

| | | | | |
|----------|---------|----------|----|----------|
| Arsenic | <0.200 | 03/11/97 | GF | 6010A(6) |
| Barium | <0.50 | 03/11/97 | GF | 6010A(6) |
| Cadmium | <0.02 | 03/11/97 | GF | 6010A(6) |
| Chromium | <0.10 | 03/11/97 | GF | 6010A(6) |
| Copper | <0.10 | 03/11/97 | GF | 6010A(6) |
| Lead | 0.21 | 03/11/97 | GF | 6010A(6) |
| Mercury | <0.0100 | 03/11/97 | GF | 6010A(6) |
| Nickel | <0.10 | 03/11/97 | ML | 7470A(6) |
| Selenium | <0.200 | 03/11/97 | GF | 6010A(6) |
| Silver | <0.20 | 03/11/97 | GF | 6010A(6) |
| Zinc | <0.50 | 03/11/97 | GF | 6010A(6) |

All results expressed as ppm unless otherwise indicated

(2) Analysis performed using "Standard Methods for the Examination of Wastewater", 19th Edition

(21) Analysis performed using ASTM Method

(6) Methods performed according to SW-846 "Test Methods for Evaluating Solid Waste"

The contents of this report apply to the sample analyzed. No duplication of this report is allowed except in its entirety

0997-10866


LABORATORY DIRECTOR



ENVIRONMENTAL MONITORING AND TECHNOLOGIES, INC.

8100 North Austin Avenue
Morton Grove, Illinois 60053-3203
847-967-6666
FAX: 847-967-6735

LABORATORY REPORT

159722-A

Clark Refining & Marketing, Inc.
131st & Kedzie Avenue
Blue Island, IL 60406

Report Date: 3/17/97
Sample Received: 3/7/97

Sample Description: Soil Grab - TANK 78
Sample No.: 05077

| <u>Compounds</u> | <u>Concentration Found In</u> | | <u>Method</u> | <u>Regulatory</u> |
|----------------------------------|-------------------------------|--------------|--|-------------------|
| | <u>Sample</u> | <u>Blank</u> | <u>Detection</u> <u>Limit (MDL)</u> | |
| 1. Benzene | <0.25 | <0.01 | 0.01 | 0.50 |
| 2. Carbon Tetrachloride | <0.25 | <0.01 | 0.01 | 0.50 |
| 3. Chlorobenzene | <50.0 | <0.01 | 0.01 | 100.00 |
| 4. Chloroform | <3.0 | <0.01 | 0.01 | 6.00 |
| 5. o-Cresol | <100.0 | <0.01 | 0.01 | 200.00 |
| 6. m-Cresol | <100.0 | <0.01 | 0.01 | 200.00 |
| 7. p-Cresol | <100.0 | <0.01 | 0.01 | 200.00 |
| Total Cresol | <100.0 | <0.01 | 0.01 | 200.00 |
| 8. 1,4-Dichlorobenzene | <3.75 | <0.01 | 0.01 | 7.50 |
| 9. 1,2-Dichloroethane | <0.25 | <0.01 | 0.01 | 0.50 |
| 10. 1,1-Dichloroethene | <0.35 | <0.01 | 0.01 | 0.700 |
| 11. 2,4-Dinitrotoluene | <0.07 | <0.01 | 0.01 | 0.13 |
| 12. Hexachlorobenzene | <0.07 | <0.01 | 0.01 | 0.13 |
| 13. Hexachloro-1,3 -butadiene | <0.25 | <0.01 | 0.01 | 0.50 |
| 14. Hexachloroethane | <1.50 | <0.01 | 0.01 | 3.00 |
| 15. Methyl Ethyl Ketone | <100.0 | <0.01 | 0.01 | 200.00 |
| 16. Nitrobenzene | <1.00 | <0.01 | 0.01 | 2.00 |
| 17. Pentachlorophenol | <50.00 | <0.01 | 0.01 | 100.00 |
| 18. Pyridine | <2.50 | <0.01 | 0.01 | 5.00 |
| 19. Tetrachloroethylene | <0.35 | <0.01 | 0.01 | 0.70 |
| 20. Trichloroethylene | <0.25 | <0.01 | 0.01 | 0.50 |
| 21. 2,4,5-Trichlorophenol | <200.00 | <0.01 | 0.01 | 400.00 |
| 22. 2,4,6-Trichlorophenol | <1.00 | <0.01 | 0.01 | 2.00 |
| 23. Vinyl Chloride | <0.10 | <0.01 | 0.01 | 0.20 |

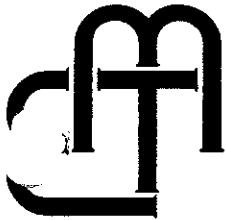
All results expressed as ppm unless otherwise indicated.
Methods performed according to SW-846, "Test methods for Evaluating Solid Waste".

Analysis performed on Extract from TCLP.

The contents of this report apply only to the sample analyzed. No duplication of this report is allowed except in its entirety.

0997-10867

LABORATORY DIRECTOR



ENVIRONMENTAL MONITORING AND TECHNOLOGIES, INC.

8100 North Austin Avenue
Morton Grove, Illinois 60053-3203
847-967-6666
FAX: 847-967-6735

LABORATORY REPORT

159722-B

Clark Refining & Marketing, Inc.
131st & Kedzie Avenue
Blue Island, IL 60406

Report Date: 3/17/97
Sample Received: 3/7/97

Sample Description: Soil Grab - TANK 78
Sample No.: 05077

| | Concentration Found In | | Method Detection Limit (MDL) ug/kg (ppb) | Quantitation Limit ug/kg (ppb) |
|-----------------|---------------------------|-----------------------|--|--------------------------------------|
| | <u>Sample</u> (ppb) | <u>Blank</u> (ppb) | | |
| PCB 1221 | <400 | <0.08 | 400 | 2000 |
| PCB 1232 | <400 | <0.08 | 400 | 2000 |
| PCB 1016 (1242) | <400 | <0.08 | 400 | 2000 |
| PCB 1248 | <400 | <0.08 | 400 | 2000 |
| PCB 1254 | <400 | <0.08 | 400 | 4000 |
| PCB 1260 | <400 | <0.08 | 400 | 4000 |
| (Total PCB) | <400 | <0.08 | 400 | --- |

All results expressed as ppb unless otherwise indicated.

Methods performed according to SW-846, "Test Methods for Evaluating Solid Waste".

The contents of this report apply only to the sample analyzed. No duplication of this report is allowed except in its entirety.

0997-10868

Leah E. Zehner

LABORATORY DIRECTOR

RCRA ATTACHMENT 10

0997-10869

From: Elva Carusiello
Date: 8/24/95 8:51 AM
Priority: Normal
CC Mail List: #BI-ALL-USERS
Subject: Drum Disposal

----- Forwarded w/Changes -----

From: David Beener 8/23/95 11:58 AM
TO: Elva Carusiello
Subject: drum Disposal

----- Message Contents -----

To all Blue Island Employees:

Empty Drum Disposal Procedure:

Empty drums must be drained completely. They can be disposed of in a designated special waste roll-off for empty containers.

Prior to disposal the lids need to be removed and the drums crushed. Since our crusher is not yet operational, just place the empty drums in the designated roll-off and Waste Management will crush the drums prior to disposal.

The current roll-off that can be used for empty drums is # 200124 located at 5 acres (adjacent to 80's tank farm).
Reminder: a vehicle entry (LEL check) is required prior to entry to 5 Acres with a vehicle.

Please call if you have any questions. Thanks.

Sandblast Sample Analytical Results

Summary

Sandblast materials are typically generated from the sandblasting area outside the Weld Shop, or from specific sandblasting activities at a particular unit. Three sandblast samples have been collected at the Clark Blue Island facility. The samples include a grab sample collected from behind the weld shop, a waste sample collected during the FCC sandblasting operation, and a waste profile sample collected from an unidentified source of sandblast material. The FCC sandblast waste was analyzed for RCRA characteristics and the Toxic Characteristic Leaching Procedure (TCLP) contaminants, the weld shop grab sample was analyzed for the TCLP contaminants, and the waste profile sample collected from an unidentified location was analyzed for RCRA characteristics, TCLP for copper, nickel and zinc, and polychlorinated biphenyls (PCBs).

The sandblast samples analyzed for RCRA characteristics were within acceptable limits for all components of the RCRA characteristics analyses. The weld shop sandblast sample and the FCC sandblast sample revealed detectable concentrations of TCLP barium, while the waste profile sample revealed a detectable concentration of TCLP zinc. PCBs were not detected in the waste profile sample.

Characterization Guidelines

Previous sampling documentation does not provide adequate characterization of hazardous constituents for sandblast generated at the Clark Blue Island facility. The weld shop is the most significant generator of sandblast grit, with maintenance activities at individual units responsible for generation of the remaining sandblast grit. The wastestream generating the waste should be identified in the sample description in order to identify the wastestream generating the sandblast grit.

Sandblast sample analyses should be selected in accordance with the purpose of the sampling event. For example, if sandblast grit was generated as a result of cleaning parts containing lead-based paint, lead should be the target parameter of concern. If sandblast grit is generated from normal activities at the weld shop, process knowledge can be used based on previous experience and analytical results to properly characterize the waste for disposal. Typically, if a sample of sandblast grit must be collected and analyzed, the target analysis should be TCLP metals.

ANALYTICAL FOR FUTURE SAMPLES

SUMMARY TABLE FOR ALL WASTES

0997-10871

| TARGET ANALYSIS | TARGET ANALYSIS | FREQUENCY |
|--|--|-------------------|
| PROCESS | | |
| SAND BLAST CLEANING | 1. GENERATION KNOWLEDGE 2. TCLP METALS | 1/4 YEAR |
| SAND BLAST TANK ON WHEEL (POLES) & EQUIPMENT | 1. TCLP METALS 2. OTHER KNOWN HAZARDOUS CONSTITUENTS, IE. LEAD | PER OCCURRENCE |

Sandblast Sample Analytical Results

0997-10872

| Laboratory ID Number | Sandblast Grab behind Weld Shop | Sandblast Waste FCC Job | Sand Blast Waste Management Profile |
|------------------------------|---------------------------------|-------------------------|-------------------------------------|
| Sample ID Number | 93999 | 99873 | 111630 |
| Laboratory Report Date | 77889 | 89404 | 1756 |
| | 04/11/94 | 08/02/94 | 12/01/94 |
| Component | | | |
| Total Cyanide | NA | ND | NA |
| Open Cup Flash Point | NA | >180 F | NA |
| Reactive Sulfide | NA | ND | NA |
| pH | NA | 10.1 | NA |
| Ash Content | NA | NA | 94.1% |
| Extractable Organic Halogens | NA | NA | ND |
| Odor of Sample | NA | NA | None |
| Paint Filter | NA | NA | Pass |
| Physical Appearance | NA | NA | Dark Brown Solid |
| Total Phenolics | NA | NA | ND |
| Total Solids | NA | NA | 94.5% |
| Water Compatibility | NA | NA | No Reaction |
| TCLP Arsenic | ND | ND | NA |
| TCLP Barium | 0.65 | 0.51 | NA |
| TCLP Cadmium | ND | ND | NA |
| TCLP Copper | NA | NA | ND |
| TCLP Chromium | ND | ND | NA |
| TCLP Lead | ND | ND | NA |
| TCLP Mercury | ND | ND | NA |
| TCLP Nickel | NA | NA | ND |
| TCLP Selenium | ND | ND | NA |
| TCLP Silver | ND | ND | NA |
| TCLP Zinc | NA | NA | 0.55 |
| TCLP Benzene | ND | ND | NA |
| TCLP Carbon Tetrachloride | ND | ND | NA |
| TCLP Chlorobenzene | ND | ND | NA |
| TCLP Chloroform | ND | ND | NA |

Sandblast Sample Analytical Results

0997-10873

| Laboratory ID Number | Sandblast Grab behind Weld Shop | Sandblast Waste FCC Job | Sand Blast Waste Management Profile |
|-------------------------------|------------------------------------|----------------------------|--|
| Sample ID Number | 93999 | 99873 | 111630 |
| Laboratory Report Date | 77889 | 89494 | 1756 |
| | 04/11/94 | 08/02/94 | 12/01/94 |
| Component | | | |
| TCLP o-Cresol | ND | ND | NA |
| TCLP m-Cresol | ND | ND | NA |
| TCLP p-Cresol | ND | ND | NA |
| TCLP Total Cresol | ND | ND | NA |
| TCLP 1,4-Dichlorobenzene | ND | ND | NA |
| TCLP 1,2-Dichloroethane | ND | ND | NA |
| TCLP 1,1-Dichloroethene | ND | ND | NA |
| TCLP 2,4-Dinitrotoluene | ND | ND | NA |
| TCLP Hexachlorobenzene | ND | ND | NA |
| TCLP Hexachloro-1,3-butadiene | ND | ND | NA |
| TCLP Hexachloroethane | ND | ND | NA |
| TCLP Methyl Ethyl Ketone | ND | ND | NA |
| TCLP Nitrobenzene | ND | ND | NA |
| TCLP Pentachlorophenol | ND | ND | NA |
| TCLP Pyridine | ND | ND | NA |
| TCLP Tetrachloroethylene | ND | ND | NA |
| TCLP Trichloroethylene | ND | ND | NA |
| TCLP 2,4,5-Trichlorophenol | ND | ND | NA |
| TCLP 2,4,6-Trichlorophenol | ND | ND | NA |
| TCLP Vinyl Chloride | ND | ND | NA |
| Total PCB 1221 | NA | NA | ND |
| Total PCB 1232 | NA | NA | ND |
| Total PCB 1016 (1242) | NA | NA | ND |
| Total PCB 1248 | NA | NA | ND |
| Total PCB 1254 | NA | NA | ND |
| Total PCB 1260 | NA | NA | ND |

Sludge Sample Analytical Results

Summary

Sludge is generated from a variety of processes and activities at the Blue Island Refinery. In many cases, these sludges have been composed of materials which are classified as listed hazardous wastes; therefore, process knowledge was used to designate offsite disposal. There have been some isolated instances where materials classified as sludge have been sampled and analyzed. The samples include a grab sample collected from Tank 15, a grab sample collected from an asphalt drum, and two grab samples collected from unidentified barrels. The two unidentified drum samples were collected for the paint filter analyses, and the sample collected from the asphalt drum was analyzed for polychlorinated biphenyls (PCBs) and for the volatile constituents of the RCRA F001 through F005 listed wastes. The sludge sample collected from Tank 15 was analyzed for RCRA characteristics and the Toxic Characteristic Leaching Procedure (TCLP) contaminants.

The RCRA characteristics analyses revealed a sludge barrel sample that failed the paint filter analysis and the Tank 15 sludge sample that had a reactive sulfide concentration of 28.4 parts per million (ppm). The sludge sample from Tank 15 also revealed a TCLP barium concentration of 0.7 ppm and a TCLP total cresol concentration of 183 ppm. The Tank 15 sludge sample contained no detectable volatile constituents of the RCRA F001 through F005 listed waste, and PCBs were not detected in the asphalt drum sample.

Characterization Guidelines

Generally, sludges generated at the Blue Island Refinery should be characterized based on their origin. Sludges generated from process wastestreams, the API separator, or the bundle cleaning area are typically listed hazardous wastes, and can be characterized using process knowledge. When a sludge is sampled, it should be analyzed for the hazardous constituents associated with the wastestream that generated the sludge. Additionally, sludge sample analyses should be selected in accordance with the purpose of the sampling event. If sludge samples are collected as part of an investigation, samples should only be analyzed for total concentrations of the hazardous constituents associated with the generating wastestream. If sludge samples are collected to characterize the waste for disposal, samples should be analyzed for the TCLP contaminants, as well as any additional analyses as required by the facility accepting the waste. Typical target parameters should include benzene, and TCLP metals.

Sludge Sample Analytical Results

| Laboratory ID Number Sample ID Number Laboratory Report Date | Sludge Grab Tank 15 | Sludge Grab Asphalt Drum | Sludge Grab Barrel | Sludge Grab Barrel |
|--|------------------------|-----------------------------|-----------------------|-----------------------|
| | 97841 | 104418 | 104604 | 104605 |
| | 83678 | 92766 | 93434 | 92766 |
| | 11/19/92 | 03/21/94 | 05/03/94 | 04/14/95 |
| Component | | | | |
| Open Cup Flash Point | >180 F | NA | NA | NA |
| Paint Filter | NA | NA | Pass | Fail |
| Reactive Cyanide | ND | NA | NA | NA |
| Reactive Sulfide | 28.4 | NA | NA | NA |
| pH | 10.5 | NA | NA | NA |
| | | | | |
| TCLP Arsenic | ND | NA | NA | NA |
| TCLP Barium | 0.7 | NA | NA | NA |
| TCLP Cadmium | ND | NA | NA | NA |
| TCLP Chromium | ND | NA | NA | NA |
| TCLP Lead | ND | NA | NA | NA |
| TCLP Mercury | ND | NA | NA | NA |
| TCLP Selenium | ND | NA | NA | NA |
| TCLP Silver | ND | NA | NA | NA |
| | | | | |
| TCLP Benzene | ND | NA | NA | NA |
| TCLP Carbon Tetrachloride | ND | NA | NA | NA |
| TCLP Chlorobenzene | ND | NA | NA | NA |
| TCLP Chloroform | ND | NA | NA | NA |
| TCLP o-Cresol | 53.6 | NA | NA | NA |
| TCLP m,p-Cresol | 129 | NA | NA | NA |
| TCLP Total Cresol | 183 | NA | NA | NA |
| TCLP 1,4-Dichlorobenzene | ND | NA | NA | NA |
| TCLP 1,2-Dichloroethane | ND | NA | NA | NA |
| TCLP 1,1-Dichloroethene | ND | NA | NA | NA |
| TCLP 2,4-Dinitrotoluene | ND | NA | NA | NA |
| TCLP Hexachlorobenzene | ND | NA | NA | NA |
| TCLP Hexachloro-1,3-butadiene | ND | NA | NA | NA |

0997-10875

Sludge Sample Analytical Results

0997-10876

| Laboratory ID Number Sample ID Number Laboratory Report Date | Sludge Grab Tank 15 | Sludge Grab Asphalt Drum | Sludge Grab Barrel | Sludge Grab Barrel |
|--|------------------------|-----------------------------|-----------------------|-----------------------|
| | 97841 | 104418 | 104604 | 104605 |
| | 83678 | 92766 | 93434 | 92766 |
| | 11/19/92 | 03/21/94 | 05/03/94 | 04/14/95 |
| Component | | | | |
| TCLP Hexachloroethane | ND | NA | NA | NA |
| TCLP Methyl Ethyl Ketone | ND | NA | NA | NA |
| TCLP Nitrobenzene | ND | NA | NA | NA |
| TCLP Pentachlorophenol | ND | NA | NA | NA |
| TCLP Pyridine | ND | NA | NA | NA |
| TCLP Tetrachloroethylene | ND | NA | NA | NA |
| TCLP Trichloroethylene | ND | NA | NA | NA |
| TCLP 2,4,5-Trichlorophenol | ND | NA | NA | NA |
| TCLP 2,4,6-Trichlorophenol | ND | NA | NA | NA |
| TCLP Vinyl Chloride | ND | NA | NA | NA |
| Total PCB 1221 | NA | ND | NA | NA |
| Total PCB 1232 | NA | ND | NA | NA |
| Total PCB 1016 (1242) | NA | ND | NA | NA |
| Total PCB 1248 | NA | ND | NA | NA |
| Total PCB 1254 | NA | ND | NA | NA |
| Total PCB 1260 | NA | ND | NA | NA |
| F001 | | | | |
| Total Tetrachloroethylene | NA | ND | NA | NA |
| Total Trichloroethylene | NA | ND | NA | NA |
| Total Methylene Chloride | NA | ND | NA | NA |
| Total 1,1,1-Trichloroethane | NA | ND | NA | NA |
| Total Carbon Tetrachloride | NA | ND | NA | NA |
| F002 | | | | |
| Total Tetrachloroethylene | NA | ND | NA | NA |
| Total Methylene Chloride | NA | ND | NA | NA |

Sludge Sample Analytical Results

0997-10877

| Laboratory ID Number | Sludge Grab | | Sludge Grab | | Sludge Grab | |
|---|-------------|----------|--------------|----------|-------------|----------|
| | Tank 15 | 97841 | Asphalt Drum | 104418 | Barrel | 104604 |
| Sample ID Number | | 83678 | 92766 | 93434 | | 92766 |
| Laboratory Report Date | | 11/19/92 | 03/21/94 | 05/03/94 | | 04/14/95 |
| Component | | | | | | |
| Total Trichloroethylene | | NA | ND | NA | NA | NA |
| Total 1,1,1-Trichloroethane | | NA | ND | NA | NA | NA |
| Total Chlorobenzene | | NA | ND | NA | NA | NA |
| Total 1,1,2-Trichloro-1,2,2-Trifluoroethane | | NA | ND | NA | NA | NA |
| Total Ortho-Dichlorobenzene | | NA | ND | NA | NA | NA |
| Total Trichlorofluoromethane | | NA | ND | NA | NA | NA |
| Total 1,1,2-Trichloroethane | | NA | ND | NA | NA | NA |
| F003 | | | | | | |
| Total Xylenes | | NA | 0.5 | NA | NA | NA |
| Total Acetone | | NA | ND | NA | NA | NA |
| Total Ethyl Acetate | | NA | ND | NA | NA | NA |
| Total Ethyl Benzene | | NA | ND | NA | NA | NA |
| Total Ether | | NA | ND | NA | NA | NA |
| Total Methyl Isobutyl Ketone | | NA | ND | NA | NA | NA |
| Total n-Butyl Alcohol | | NA | ND | NA | NA | NA |
| Total Cyclohexanone | | NA | ND | NA | NA | NA |
| Total Methanol | | NA | ND | NA | NA | NA |
| F004 | | | | | | |
| Total Cresols or Cresylic Acid | | NA | ND | NA | NA | NA |
| Total Nitrobenzene | | NA | ND | NA | NA | NA |
| F005 | | | | | | |
| Total Toluene | | NA | ND | NA | NA | NA |
| Total Methyl Ethyl Ketone | | NA | ND | NA | NA | NA |
| Total Carbon Disulfides | | NA | ND | NA | NA | NA |
| Total Isobutanol | | NA | ND | NA | NA | NA |

Sludge Sample Analytical Results

| | Sludge Grab Tank 15 | Sludge Grab Asphalt Drum | Sludge Grab Barrel | Sludge Grab Barrel |
|------------------------|------------------------|-----------------------------|-----------------------|-----------------------|
| | 97841 | 104418 | 104604 | 104605 |
| | 83678 | 92766 | 93434 | 92766 |
| Laboratory ID Number | 11/19/92 | 03/21/94 | 05/03/94 | 04/14/95 |
| Sample ID Number | | | | |
| Laboratory Report Date | | | | |
| Component | | | | |
| Total Pyridine | NA | ND | NA | NA |
| Total 2-Ethoxyethanol | NA | ND | NA | NA |
| Total Benzene | NA | ND | NA | NA |
| Total 2-Nitropropane | NA | ND | NA | NA |

0997-10878

Miscellaneous Sample Analytical Results

Summary

Miscellaneous analytical results are sample results which were not readily grouped into other wastestreams or sampling locations. Miscellaneous sample analytical results collected at the Blue Island refinery include samples of spent 59-3 chloride, ISOMAX Stage II, 30C filters, waste boom material, and stormwater samples. The spent 59-3 chloride grab sample was analyzed for Resource Conservation and Recovery Act (RCRA) characteristics, total inorganics, and Toxic Characteristic Leaching Procedure (TCLP) contaminants. The ISOMAX Stage II sample and the 30C Filters sample was analyzed for RCRA characteristics and TCLP contaminants, while the waste boom material sample was analyzed for RCRA characteristics, TCLP contaminants, polychlorinated biphenyls (PCBs), and the volatile constituents of the RCRA F001 through F005 listed wastes. A stormwater sample from Dike 56 was analyzed for total purgeable organics.

The spent 59-3 chloride sample exhibited a closed cup flash point of 94° F, with all other RCRA characteristics within acceptable limits. The chloride sample also revealed detectable concentrations of total cadmium, chromium, lead, mercury, selenium, and TCLP barium. The ISOMAX Stage II sample revealed a reactive sulfide concentration of 28.2 parts per million (ppm) and a TCLP benzene concentration of 3.68 ppm. TCLP cadmium and TCLP chromium were detected in the 30C filters sample at concentrations of 0.04 and 0.11 ppm, respectively. The TCLP analyses on the waste boom material sample revealed barium at 0.34 ppm and lead at 0.14 ppm, the F003 listed waste analysis indicated xylenes at 138 ppm and ethylbenzene at 11.4 ppm, and the F005 listed waste analysis contained toluene at 13.3 ppm. The stormwater sample from dike 56 contained benzene at a concentration of 34.8 ppm.

Characterization Guidelines

Analyses selected for miscellaneous samples should be dependant on the wastes being sampled and the purpose of the sampling. Samples collected during investigations should be analyzed for total constituents, such as inorganics, purgeable organics, base/neutral extractables, acid extractables, and polychlorinated biphenyls. Waste characterization samples should be analyzed for RCRA characteristics and TCLP contaminants.

Miscellaneous Soil Sample Analytical Results

0997-10880

| Laboratory ID Number | Chloride Grab Spent 59-3 | ISOMAX Stage II | Filters 30C | Waste Grab Boom Material | Stormwater Grab Dike 56 |
|------------------------------|-----------------------------|--------------------|----------------|-----------------------------|----------------------------|
| Sample ID Number | 54380 | 97635 | 95637 | 104319 | 120704 |
| Laboratory Report Date | 34678 | 75798 | 80185 | 92289 | 15458 |
| | 11/19/92 | 03/21/94 | 05/03/94 | 08/31/94 | 04/14/95 |
| Component | | | | | |
| Open Cup Flash Point | NA | >180 F | >180 F | 176 F | NA |
| Reactive Cyanide | NA | ND | ND | ND | NA |
| Reactive Sulfide | ND | 28.2 | ND | ND | NA |
| pH | 9.7 | 6.96 | 8.6 | 6.16 | NA |
| Closed Cup Flash Point | 94 F | NA | NA | NA | NA |
| Total Cyanide | ND | NA | NA | ND | NA |
| Extractable Organic Halogens | ND | NA | NA | NA | NA |
| Paint Filter | Pass | NA | NA | Pass | NA |
| Total Phenolics | ND | NA | NA | ND | NA |
| Total Solids | 85.6% | NA | NA | NA | NA |
| Specific Gravity | 1.83 | NA | NA | NA | NA |
| Total Arsenic | ND | NA | NA | NA | NA |
| Total Barium | ND | NA | NA | NA | NA |
| Total Cadmium | 30 | NA | NA | NA | NA |
| Total Chromium | 54 | NA | NA | NA | NA |
| Total Lead | 300 | NA | NA | NA | NA |
| Total Mercury | 0.1 | NA | NA | NA | NA |
| Total Selenium | 0.2 | NA | NA | NA | NA |
| Total Silver | ND | NA | NA | NA | NA |
| TCLP Arsenic | ND | ND | ND | ND | NA |
| TCLP Barium | 0.18 | ND | ND | 0.34 | NA |
| TCLP Cadmium | ND | ND | 0.04 | ND | NA |
| TCLP Chromium | ND | ND | 0.11 | ND | NA |
| TCLP Lead | ND | ND | ND | 0.14 | NA |
| TCLP Mercury | ND | ND | ND | ND | NA |
| TCLP Selenium | ND | ND | ND | ND | NA |
| TCLP Silver | ND | ND | ND | ND | NA |

Miscellaneous Spill Sample Analytical Results

0997-10881

| Laboratory ID Number | Chloride Grab Spent 59-3 | ISOMAX Stage II | Filters 30C | Waste Grab Boom Material | Stormwater Grab Dike 56 |
|---------------------------------|-----------------------------|--------------------|----------------|-----------------------------|----------------------------|
| Sample ID Number | 54380 | 92655 | 95637 | 104319 | 120704 |
| Laboratory Report Date | 34678 | 75798 | 80185 | 92289 | 15458 |
| | 11/19/92 | 03/21/94 | 05/03/94 | 08/31/94 | 04/14/95 |
| Component | | | | | |
| Total Chloromethane | NA | NA | NA | NA | ND |
| Total Bromomethane | NA | NA | NA | NA | ND |
| Total Vinyl Chloride | NA | NA | NA | NA | ND |
| Total Chloroethane | NA | NA | NA | NA | ND |
| Total Dichloroethane | NA | NA | NA | NA | ND |
| Total Acrolein | NA | NA | NA | NA | ND |
| Total Acrylonitrile | NA | NA | NA | NA | ND |
| Total Trichlorofluoromethane | NA | NA | NA | NA | ND |
| Total 1,1-Dichloroethene | NA | NA | NA | NA | ND |
| Total 1,1-Dichloroethane | NA | NA | NA | NA | ND |
| Total Trans-1,2-Dichloroethene | NA | NA | NA | NA | ND |
| Total Chloroform | NA | NA | NA | NA | ND |
| Total 1,2-Dichloroethane | NA | NA | NA | NA | ND |
| Total 1,1,1-Trichloroethane | NA | NA | NA | NA | ND |
| Total Carbon Tetrachloride | NA | NA | NA | NA | ND |
| Total Bromodichloromethane | NA | NA | NA | NA | ND |
| Total 1,2-Dichloropropane | NA | NA | NA | NA | ND |
| Total Cis-1,3-Dichloropropene | NA | NA | NA | NA | ND |
| Total Trichloroethene | NA | NA | NA | NA | ND |
| Total Benzene | NA | NA | NA | NA | 34.8 |
| Total Dibromodichloromethane | NA | NA | NA | NA | ND |
| Total Trans-1,3-Dichloropropene | NA | NA | NA | NA | ND |
| Total 1,1,2-Trichloroethane | NA | NA | NA | NA | ND |
| Total 2-Chloroethyl vinyl ether | NA | NA | NA | NA | ND |
| Total Bromoform | NA | NA | NA | NA | NA |
| Total Tetrachloroethene | NA | NA | NA | NA | NA |
| Total 1,1,2,2-Tetrachloroethane | NA | NA | NA | NA | NA |
| Total Toluene | NA | NA | NA | NA | NA |
| Total Chlorobenzene | NA | NA | NA | NA | NA |

Miscellaneous Soil Sample Analytical Results

0997-10882

| Laboratory ID Number | Chloride Grab Spent 59.3 | ISOMAX Stage II | Filters 30C | Waste Grab Bottom Material | Stormwater Grab Dike 56 |
|-------------------------------|-----------------------------|--------------------|----------------|-------------------------------|----------------------------|
| Sample ID Number | 54380 | 92653 | 95637 | 104319 | 120704 |
| Laboratory Report Date | 34678 | 73798 | 80185 | 92289 | 15458 |
| | 11/19/92 | 03/21/94 | 05/03/94 | 08/31/94 | 04/14/95 |
| Component | | | | | |
| Total Ethylbenzene | NA | NA | NA | NA | NA |
| Total Xylenes | NA | NA | NA | NA | NA |
| Total Benzene | NA | NA | NA | NA | NA |
| Total Ethylbenzene | NA | NA | NA | NA | NA |
| Total Toluene | NA | NA | NA | NA | NA |
| Total Xylenes | NA | NA | NA | NA | NA |
| Total BTEX | NA | NA | NA | NA | NA |
| TCLP Benzene | ND | 3.68 | ND | ND | NA |
| TCLP Carbon Tetrachloride | ND | ND | ND | ND | NA |
| TCLP Chlorobenzene | ND | ND | ND | ND | NA |
| TCLP Chloroform | ND | ND | ND | ND | NA |
| TCLP o-Cresol | ND | ND | ND | ND | NA |
| TCLP m-Cresol | ND | ND | ND | ND | NA |
| TCLP p-Cresol | ND | ND | ND | ND | NA |
| TCLP Total Cresol | ND | ND | ND | ND | NA |
| TCLP 1,4-Dichlorobenzene | ND | ND | ND | ND | NA |
| TCLP 1,2-Dichloroethane | ND | ND | ND | ND | NA |
| TCLP 1,1-Dichloroethene | ND | ND | ND | ND | NA |
| TCLP 2,4-Dinitrotoluene | ND | ND | ND | ND | NA |
| TCLP Hexachlorobenzene | ND | ND | ND | ND | NA |
| TCLP Hexachloro-1,3-butadiene | ND | ND | ND | ND | NA |
| TCLP Hexachloroethane | ND | ND | ND | ND | NA |
| TCLP Methyl Ethyl Ketone | ND | ND | ND | ND | NA |
| TCLP Nitrobenzene | ND | ND | ND | ND | NA |
| TCLP Pentachlorophenol | ND | ND | ND | ND | NA |
| TCLP Pyridine | ND | ND | ND | ND | NA |
| TCLP Tetrachloroethylene | ND | ND | ND | ND | NA |

Miscellaneous Soil Sample Analytical Results

0997-10883

| Laboratory ID Number | Chloride Grab Spent 59-3 | ISOMAX Stage II | Filters 30C | Waste Grab Boom Material | Stormwater Grab Dike 56 |
|---|-----------------------------|--------------------|----------------|-----------------------------|----------------------------|
| Sample ID Number | 54380 | 92655 | 95637 | 104319 | 120704 |
| Laboratory Report Date | 34678 | 75798 | 80185 | 92289 | 15458 |
| | 11/19/92 | 03/21/94 | 03/03/94 | 08/31/94 | 04/14/95 |
| Component | | | | | |
| TCLP Trichloroethylene | ND | ND | ND | ND | NA |
| TCLP 2,4,5-Trichlorophenol | ND | ND | ND | ND | NA |
| TCLP 2,4,6-Trichlorophenol | ND | ND | ND | ND | NA |
| TCLP Vinyl Chloride | ND | ND | ND | ND | NA |
| Total PCB 1221 | NA | NA | NA | ND | NA |
| Total PCB 1232 | NA | NA | NA | ND | NA |
| Total PCB 1016 (1242) | NA | NA | NA | ND | NA |
| Total PCB 1248 | NA | NA | NA | ND | NA |
| Total PCB 1254 | NA | NA | NA | ND | NA |
| Total PCB 1260 | NA | NA | NA | ND | NA |
| Total PCB | NA | NA | NA | ND | NA |
| F001 | | | | | |
| Total Tetrachloroethylene | NA | NA | NA | ND | NA |
| Total Trichloroethylene | NA | NA | NA | ND | NA |
| Total Methylene Chloride | NA | NA | NA | ND | NA |
| Total 1,1,1-Trichloroethane | NA | NA | NA | ND | NA |
| Total Carbon Tetrachloride | NA | NA | NA | ND | NA |
| F002 | | | | | |
| Total Tetrachloroethylene | NA | NA | NA | ND | NA |
| Total Methylene Chloride | NA | NA | NA | ND | NA |
| Total Trichloroethylene | NA | NA | NA | ND | NA |
| Total 1,1,1-Trichloroethane | NA | NA | NA | ND | NA |
| Total Chlorobenzene | NA | NA | NA | ND | NA |
| Total 1,1,2-Trichloro-1,2,2-Trifluoroethane | NA | NA | NA | ND | NA |
| Total Ortho-Dichlorobenzene | NA | NA | NA | ND | NA |
| Total Trichlorofluoromethane | NA | NA | NA | ND | NA |

Miscellaneous Soil Sample Analytical Results

0997-10884

| Laboratory ID Number Sample ID Number Laboratory Report Date | Chloride Grab Spent 59-3 | ISOMAX Stage II | Filters 30C | Waste Grab Room Material | Stormwater Grab Dike 56 |
|--|-----------------------------|--------------------|----------------|-----------------------------|----------------------------|
| | | | | | |
| | 54380 | 92655 | 95637 | 104319 | 120704 |
| | 34678 | 95798 | 80185 | 92289 | 15458 |
| | 11/19/92 | 03/21/94 | 05/03/94 | 08/31/94 | 04/14/95 |
| Component | | | | | |
| Total 1,1,2-Trichloroethane | NA | NA | NA | ND | NA |
| F003 | | | | | |
| Total Xylenes | NA | NA | NA | 138 | NA |
| Total Acetone | NA | NA | NA | ND | NA |
| Total Ethyl Acetate | NA | NA | NA | ND | NA |
| Total Ethyl Benzene | NA | NA | NA | 11.4 | NA |
| Total Ether | NA | NA | NA | ND | NA |
| Total Methyl Isobutyl Ketone | NA | NA | NA | ND | NA |
| Total n-Butyl Alcohol | NA | NA | NA | ND | NA |
| Total Cyclohexanone | NA | NA | NA | ND | NA |
| Total Methanol | NA | NA | NA | ND | NA |
| F004 | | | | | |
| Total Cresols or Cresylic Acid | NA | NA | NA | ND | NA |
| Total Nitrobenzene | NA | NA | NA | ND | NA |
| F005 | | | | | |
| Total Toluene | NA | NA | NA | 13.3 | NA |
| Total Methyl Ethyl Ketone | NA | NA | NA | ND | NA |
| Total Carbon Disulfides | NA | NA | NA | ND | NA |
| Total Isobutanol | NA | NA | NA | ND | NA |
| Total Pyridine | NA | NA | NA | ND | NA |
| Total 2-Ethoxyethanol | NA | NA | NA | ND | NA |
| Total Benzene | NA | NA | NA | ND | NA |
| Total 2-Nitropropane | NA | NA | NA | ND | NA |

CATALYST

~~Fire Training Field~~ Sample Analytical Results

Summary

Samples of various catalysts has been

~~Sampling at the Fire Training Field has been conducted to evaluate the impact of catalyst treatment or fire training activities.~~ Samples have been analyzed for TCLP constituents and reactive cyanide. Samples analyzed for reactive cyanide revealed concentrations ranging from below detection limits to 58.3 parts per million (ppm). TCLP analyses have revealed detectable concentrations of arsenic, barium, cadmium, chromium, and lead in the ~~fire training field~~ samples, with chromium detected at significant levels in many of the samples. The TCLP analyses also revealed concentrations of benzene ranging from non-detect to 0.98 ppm.

Characterization Guidelines

Previous sampling documentation reveals that inorganics such as metals and reactive cyanide, as well as benzene, should be target parameters when analyzing *catalyst* ~~samples from the Fire Training Field.~~ In addition, toluene, ethylbenzene, and xylenes should also be considered since diesel fuel has generally been used to ignite fires for training exercises.

When sampling is focussed on catalyst treatment activities, reactive cyanide, pH, and TCLP metals should be evaluated. Historical results indicate that chromium should be of particular concern when analyzing these samples; however, existing documentation of the particular catalyst being treated should be evaluated to best identify target parameters of concern.

CATALYST

Fire Training Field Sample Analytical Results

0997-10886

| Laboratory ID Number | Fire Training Field CATALYST Soil 1-A | Fire Training Field Soil 2-B | Fire Training Field Soil 3-C | Fire Training Field Soil 4-D | Fire Training Field Soil 5-E | Fire Training Field Soil 6-F |
|-------------------------------|---|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| Sample ID Number | 92364 | 92365 | 92366 | 92367 | 92368 | 92369 |
| Laboratory Report Date | 03/17/94 | 03/17/94 | 03/17/94 | 03/17/94 | 03/17/94 | 03/17/94 |
| Component | | | | | | |
| Open Cup Flash Point | >180 F | >180 F | >180 F | >180 F | >180 F | >180 F |
| Reactive Cyanide | ND | ND | ND | ND | ND | ND |
| Reactive Sulfide | 38.5 | 33.3 | 23.0 | ND | 58.3 | 13.3 |
| pH | 4.58 | 8.64 | 8.03 | 7.26 | 6.63 | 6.33 |
| TCLP Arsenic | 0.46 | ND | ND | ND | ND | ND |
| TCLP Barium | ND | 0.14 | ND | ND | 0.2 | ND |
| TCLP Cadmium | 0.09 | ND | ND | ND | 0.03 | 0.03 |
| TCLP Chromium | 2.30 | ND | 0.58 | 0.38 | 1.2 | 0.87 |
| TCLP Lead | 0.35 | ND | ND | ND | ND | 0.32 |
| TCLP Mercury | ND | ND | ND | ND | ND | ND |
| TCLP Selenium | ND | ND | ND | ND | ND | ND |
| TCLP Silver | ND | ND | ND | ND | ND | ND |
| TCLP Benzene | NA | NA | NA | NA | NA | NA |
| TCLP Carbon Tetrachloride | NA | NA | NA | NA | NA | NA |
| TCLP Chlorobenzene | NA | NA | NA | NA | NA | NA |
| TCLP Chloroform | NA | NA | NA | NA | NA | NA |
| TCLP o-Cresol | NA | NA | NA | NA | NA | NA |
| TCLP m-Cresol | NA | NA | NA | NA | NA | NA |
| TCLP p-Cresol | NA | NA | NA | NA | NA | NA |
| TCLP Total Cresol | NA | NA | NA | NA | NA | NA |
| TCLP 1,4-Dichlorobenzene | NA | NA | NA | NA | NA | NA |
| TCLP 1,2-Dichloroethane | NA | NA | NA | NA | NA | NA |
| TCLP 1,1-Dichloroethene | NA | NA | NA | NA | NA | NA |
| TCLP 2,4-Dinitrotoluene | NA | NA | NA | NA | NA | NA |
| TCLP Hexachlorobenzene | NA | NA | NA | NA | NA | NA |
| TCLP Hexachloro-1,3-butadiene | NA | NA | NA | NA | NA | NA |

Fire Training Field Sample Analytical Results

| Laboratory ID Number Sample ID Number Laboratory Report Date | Fire Training Field Soil, 1-A | Fire Training Field Soil, 2-B | Fire Training Field Soil, 3-C | Fire Training Field Soil, 4-D | Fire Training Field Soil, 5-E | Fire Training Field Soil, 6-F |
|--|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| | 92364 | 92365 | 92366 | 92367 | 92368 | 92369 |
| | 75378 | 75379 | 75380 | 75381 | 75382 | 75383 |
| | 03/17/94 | 03/17/94 | 03/17/94 | 03/17/94 | 03/17/94 | 03/17/94 |
| Component | | | | | | |
| TCLP Hexachloroethane | NA | NA | NA | NA | NA | NA |
| TCLP Methyl Ethyl Ketone | NA | NA | NA | NA | NA | NA |
| TCLP Nitrobenzene | NA | NA | NA | NA | NA | NA |
| TCLP Pentachlorophenol | NA | NA | NA | NA | NA | NA |
| TCLP Pyridine | NA | NA | NA | NA | NA | NA |
| TCLP Tetrachloroethylene | NA | NA | NA | NA | NA | NA |
| TCLP Trichloroethylene | NA | NA | NA | NA | NA | NA |
| TCLP 2,4,5-Trichlorophenol | NA | NA | NA | NA | NA | NA |
| TCLP 2,4,6-Trichlorophenol | NA | NA | NA | NA | NA | NA |
| TCLP Vinyl Chloride | NA | NA | NA | NA | NA | NA |

0997-10887

Fire Training Field Sample Analytical Results

0997-10888

| Laboratory ID Number | Fire Training Field Soil, 3-C | Fire Training Field Soil, 4-D | Fire Training Field Soil, 5-E | Fire Training Field Soil, 6-F | Fire Training Field Soil, 1-A | Fire Training Field Soil, 2-B |
|-------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| | 92651 | 92652 | 92653 | 92654 | 92802 | 92808 |
| Sample ID Number | 75380 | 75381 | 75382 | 75383 | 75378 | 75379 |
| | 03/21/94 | 03/21/94 | 03/21/94 | 03/21/94 | 03/21/94 | 03/21/94 |
| Laboratory Report Date | | | | | | |
| Component | | | | | | |
| Open Cup Flash Point | NA | NA | NA | NA | NA | NA |
| Reactive Cyanide | NA | NA | NA | NA | NA | NA |
| Reactive Sulfide | NA | NA | NA | NA | NA | NA |
| pH | NA | NA | NA | NA | NA | NA |
| TCLP Arsenic | NA | NA | NA | NA | NA | NA |
| TCLP Barium | NA | NA | NA | NA | NA | NA |
| TCLP Cadmium | NA | NA | NA | NA | NA | NA |
| TCLP Chromium | NA | NA | NA | NA | NA | NA |
| TCLP Lead | NA | NA | NA | NA | NA | NA |
| TCLP Mercury | NA | NA | NA | NA | NA | NA |
| TCLP Selenium | NA | NA | NA | NA | NA | NA |
| TCLP Silver | NA | NA | NA | NA | NA | NA |
| TCLP Benzene | 0.29 | 0.98 | ND | ND | 0.28 | 0.39 |
| TCLP Carbon Tetrachloride | ND | ND | ND | ND | ND | ND |
| TCLP Chlorobenzene | ND | ND | ND | ND | ND | ND |
| TCLP Chloroform | ND | ND | ND | ND | ND | ND |
| TCLP o-Cresol | ND | ND | ND | ND | ND | ND |
| TCLP m-Cresol | ND | ND | ND | ND | ND | ND |
| TCLP p-Cresol | ND | ND | ND | ND | ND | ND |
| TCLP Total Cresol | ND | ND | ND | ND | ND | ND |
| TCLP 1,4-Dichlorobenzene | ND | ND | ND | ND | ND | ND |
| TCLP 1,2-Dichloroethane | ND | ND | ND | ND | ND | ND |
| TCLP 1,1-Dichloroethene | ND | ND | ND | ND | ND | ND |
| TCLP 2,4-Dinitrotoluene | ND | ND | ND | ND | ND | ND |
| TCLP Hexachlorobenzene | ND | ND | ND | ND | ND | ND |
| TCLP Hexachloro-1,3-butadiene | ND | ND | ND | ND | ND | ND |

Fire Training Field Sample Analytical Results

| Laboratory ID Number Sample ID Number Laboratory Report Date | Fire Training Field Soil, 3-C | Fire Training Field Soil, 4-D | Fire Training Field Soil, 5-E | Fire Training Field Soil, 6-F | Fire Training Field Soil, 1-A | Fire Training Field Soil, 2-B |
|--|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| | 92651 | 92652 | 92653 | 92654 | 92802 | 92808 |
| | 75380 | 75381 | 75382 | 75383 | 75378 | 75379 |
| | 03/21/94 | 03/21/94 | 03/21/94 | 03/21/94 | 03/21/94 | 03/21/94 |
| Component | | | | | | |
| TCLP Hexachloroethane | ND | ND | ND | ND | ND | ND |
| TCLP Methyl Ethyl Ketone | ND | ND | ND | ND | ND | ND |
| TCLP Nitrobenzene | ND | ND | ND | ND | ND | ND |
| TCLP Pentachlorophenol | ND | ND | ND | ND | ND | ND |
| TCLP Pyridine | ND | ND | ND | ND | ND | ND |
| TCLP Tetrachloroethylene | ND | ND | ND | ND | ND | ND |
| TCLP Trichloroethylene | ND | ND | ND | ND | ND | ND |
| TCLP 2,4,5-Trichlorophenol | ND | ND | ND | ND | ND | ND |
| TCLP 2,4,6-Trichlorophenol | ND | ND | ND | ND | ND | ND |
| TCLP Vinyl Chloride | ND | ND | ND | ND | ND | ND |

0997-10889

Five Acres Sample Analytical Results

Summary

Numerous samples have been collected at the 5 Acres site for a variety of reasons. Samples of surface soil, subsurface soil, waste soil, and groundwater samples, have been collected from the area. Samples have been analyzed for physical characteristics, TCLP constituents, and BTEX. Generally, sampling in this area has been the result of known, or suspected, releases. Analytical parameters have been selected based on known, or suspect, contaminants of concern.

Physical characteristics analyses have revealed reactive sulfide concentrations ranging from non-detect to 40.6 parts per million (ppm). The samples analyzed for BTEX detected benzene concentrations from non-detect to 1,140 ppm, ethylbenzene concentrations from non-detect to 40.8 ppm, toluene concentrations from non-detect to 102 ppm, and xylenes concentrations from non-detect to 106 ppm. The TCLP analyses showed barium concentrations ranging from non-detect to 2.3 ppm, lead concentrations ranging from non-detect to 0.25 ppm, and benzene concentrations ranging from non-detect to 55 ppm.

Characterization Guidelines

Previous sampling documentation has been used to characterize surface soils, subsurface soil, waste soils, and groundwater at the Five Acres site. Samples collected for further investigation in the Five Acres area should be analyzed for BTEX. Samples collected for waste characterization should generally be analyzed for TCLP organic constituents, especially benzene, and TCLP inorganics if they are suspected.

Five Acres Sample Analytical Results

0997-10891

| Laboratory ID Number | Grab 10A | Grab 11B | Groundwater 80% Tank Farm | Soil SW Property | Soil SW Property Roll-Off Box | Soil North Pile | Soil Southwest Pile |
|---------------------------|----------|----------|---------------------------|------------------|-------------------------------|-----------------|---------------------|
| | 95149 | 95150 | 105335 | 96596 | 105604 | 109551 | 109552 |
| Sample ID Number | 79346 | 79347 | 93506 | 82557 | 93507 | 99305 | 99306 |
| | 04/25/94 | 04/25/94 | 09/21/94 | 05/20/94 | 09/22/94 | 11/07/94 | 11/07/94 |
| Laboratory Report Date | | | | | | | |
| Component | | | | | | | |
| Open Cup Flash Point | >180 F | >180 F | NA | >180 F | NA | NA | NA |
| Reactive Cyanide | ND | ND | NA | NA | NA | NA | NA |
| Reactive Sulfide | 11.7 | ND | NA | 40.6 | NA | NA | NA |
| pH | 9.0 | 7.2 | NA | 9.2 | NA | NA | NA |
| Total Cyanide | NA | NA | NA | ND | NA | NA | NA |
| Total Solids | NA | NA | NA | 82.8% | NA | NA | NA |
| TCLP Arsenic | ND | ND | NA | ND | NA | ND | ND |
| TCLP Barium | 0.49 | 2.3 | NA | 0.39 | NA | 0.58 | 0.9 |
| TCLP Cadmium | ND | ND | NA | ND | NA | ND | ND |
| TCLP Chromium | ND | ND | NA | ND | NA | ND | ND |
| TCLP Lead | ND | 0.21 | NA | 0.17 | NA | ND | 0.25 |
| TCLP Mercury | ND | ND | NA | ND | NA | ND | ND |
| TCLP Selenium | ND | ND | NA | ND | NA | ND | ND |
| TCLP Silver | ND | ND | NA | ND | NA | ND | ND |
| Total Benzene | NA | NA | 4.55 | 1,140 | ND | NA | NA |
| Total Ethylbenzene | NA | NA | 4.5 | NA | NA | NA | NA |
| Total Toluene | NA | NA | 11.8 | NA | NA | NA | NA |
| Total Xylenes | NA | NA | 37.3 | NA | NA | NA | NA |
| Total BTEX | NA | NA | 58.2 | NA | NA | NA | NA |
| TCLP Benzene | ND | ND | NA | 55 | NA | ND | ND |
| TCLP Carbon Tetrachloride | ND | ND | NA | ND | NA | ND | ND |
| TCLP Chlorobenzene | ND | ND | NA | ND | NA | ND | ND |
| TCLP Chloroform | ND | ND | NA | ND | NA | ND | ND |
| TCLP o-Cresol | ND | ND | NA | ND | NA | ND | ND |
| TCLP m-Cresol | ND | ND | NA | ND | NA | ND | ND |

Five Acres Sample Analytical Results

| Laboratory Report Date | Grab 10A | Grab 11B | Groundwater 80s Tank Farm | Soil SW Property | Soil, SW Property Roll-Off Box | Soil North Pile | Soil Southwest Pile |
|-------------------------------|----------|----------|---------------------------|------------------|--------------------------------|-----------------|---------------------|
| Laboratory ID Number | 95149 | 95150 | 105335 | 96596 | 105604 | 109551 | 109552 |
| Sample ID Number | 79346 | 79347 | 93506 | 82557 | 93507 | 99305 | 99306 |
| | 04/25/94 | 04/25/94 | 09/21/94 | 05/20/94 | 09/22/94 | 11/07/94 | 11/07/94 |
| Component | | | | | | | |
| TCLP p-Cresol | ND | ND | NA | ND | NA | ND | ND |
| TCLP Total Cresol | ND | ND | NA | ND | NA | ND | ND |
| TCLP 1,4-Dichlorobenzene | ND | ND | NA | ND | NA | ND | ND |
| TCLP 1,2-Dichloroethane | ND | ND | NA | ND | NA | ND | ND |
| TCLP 1,1-Dichloroethene | ND | ND | NA | ND | NA | ND | ND |
| TCLP 2,4-Dinitrotoluene | ND | ND | NA | ND | NA | ND | ND |
| TCLP Hexachlorobenzene | ND | ND | NA | ND | NA | ND | ND |
| TCLP Hexachloro-1,3-butadiene | ND | ND | NA | ND | NA | ND | ND |
| TCLP Hexachloroethane | ND | ND | NA | ND | NA | ND | ND |
| TCLP Methyl Ethyl Ketone | ND | ND | NA | ND | NA | ND | ND |
| TCLP Nitrobenzene | ND | ND | NA | ND | NA | ND | ND |
| TCLP Pentachlorophenol | ND | ND | NA | ND | NA | ND | ND |
| TCLP Pyridine | ND | ND | NA | ND | NA | ND | ND |
| TCLP Tetrachloroethylene | ND | ND | NA | ND | NA | ND | ND |
| TCLP Trichloroethylene | ND | ND | NA | ND | NA | ND | ND |
| TCLP 2,4,5-Trichlorophenol | ND | ND | NA | ND | NA | ND | ND |
| TCLP 2,4,6-Trichlorophenol | ND | ND | NA | ND | NA | ND | ND |
| TCLP Vinyl Chloride | ND | ND | NA | ND | NA | ND | ND |

0997-10892

Five Acres Sample Analytical Results

| Laboratory ID Number | Soil SW File 5 acres | 80s Tank Farm Soil, 1-Soil Shallow | | 80s Tank Farm Groundwater, 1-SGW | | 80s Tank Farm Groundwater, 1-DGW | | 80s Tank Farm Soil, 2-Soil Shallow | | 80s Tank Farm Groundwater, 2-SGW | |
|---------------------------|-------------------------|---------------------------------------|----------|-------------------------------------|----------|-------------------------------------|----------|---------------------------------------|----------|-------------------------------------|----------|
| | | 114282 | 100768 | 100769 | 101044 | 101043 | 101044 | 86752 | 101043 | 100767 | 100767 |
| Sample ID Number | 05533 | 86754 | 86754 | 86755 | 86756 | 86752 | 86756 | 86752 | 86752 | 86753 | 86753 |
| Laboratory Report Date | 01/16/95 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 |
| Component | | | | | | | | | | | |
| Open Cup Flash Point | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Reactive Cyanide | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Reactive Sulfide | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| pH | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Cyanide | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Solids | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Arsenic | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Barium | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Cadmium | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Chromium | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Lead | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Mercury | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Selenium | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Silver | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Benzene | NA | 122 | 122 | 500 | 398 | 0.007 | 398 | 0.007 | 0.007 | 0.004 | 0.004 |
| Total Ethylbenzene | NA | 0.571 | 0.571 | 2.9 | 0.118 | ND | 0.118 | ND | ND | ND | ND |
| Total Toluene | NA | 0.498 | 0.498 | 1.5 | 3.00 | 0.005 | 3.00 | 0.005 | 0.005 | ND | ND |
| Total Xylenes | NA | 1.53 | 1.53 | 14.2 | 0.547 | ND | 0.547 | ND | ND | ND | ND |
| Total BTEX | NA | 124 | 124 | 518 | 402 | 0.012 | 402 | 0.012 | 0.012 | 0.004 | 0.004 |
| TCLP Benzene | ND | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Carbon Tetrachloride | ND | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Chlorobenzene | ND | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Chloroform | ND | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP o-Cresol | ND | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP m-Cresol | ND | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

0997-10893

Five Acres Sample Analytical Results

| Laboratory ID Number | Soil SW Pile 5 acres | 80s Tank Farm Soil, 1-Soil-Shallow | 80s Tank Farm Groundwater, 1-SGW | 80s Tank Farm Groundwater, 1-DGW | 80s Tank Farm Soil, 2-Soil-Shallow | 80s Tank Farm Groundwater, 2-SGW |
|-------------------------------|-------------------------|---------------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|-------------------------------------|
| Sample ID Number | 114282 | 100768 | 100769 | 101044 | 101043 | 100767 |
| Laboratory Report Date | 05533 | 86754 | 86755 | 86756 | 86752 | 86753 |
| | 01/16/93 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 |
| Component | | | | | | |
| TCLP p-Cresol | ND | NA | NA | NA | NA | NA |
| TCLP Total Cresol | ND | NA | NA | NA | NA | NA |
| TCLP 1,4-Dichlorobenzene | ND | NA | NA | NA | NA | NA |
| TCLP 1,2-Dichloroethane | ND | NA | NA | NA | NA | NA |
| TCLP 1,1-Dichloroethene | ND | NA | NA | NA | NA | NA |
| TCLP 2,4-Dinitrotoluene | ND | NA | NA | NA | NA | NA |
| TCLP Hexachlorobenzene | ND | NA | NA | NA | NA | NA |
| TCLP Hexachloro-1,3-butadiene | ND | NA | NA | NA | NA | NA |
| TCLP Hexachlorocyclohexane | ND | NA | NA | NA | NA | NA |
| TCLP Methyl Ethyl Ketone | ND | NA | NA | NA | NA | NA |
| TCLP Nitrobenzene | ND | NA | NA | NA | NA | NA |
| TCLP Pentachlorophenol | ND | NA | NA | NA | NA | NA |
| TCLP Pyridine | ND | NA | NA | NA | NA | NA |
| TCLP Tetrachloroethylene | ND | NA | NA | NA | NA | NA |
| TCLP Trichloroethylene | ND | NA | NA | NA | NA | NA |
| TCLP 2,4,5-Trichlorophenol | ND | NA | NA | NA | NA | NA |
| TCLP 2,4,6-Trichlorophenol | ND | NA | NA | NA | NA | NA |
| TCLP Vinyl Chloride | ND | NA | NA | NA | NA | NA |

0997-10894

Five Acres Sample Analytical Results

| Laboratory ID Number | 80s Tank Farm | | 80s Tank Farm | | 80s Tank Farm | | 80s Tank Farm | | 80s Tank Farm | |
|---------------------------|----------------------|-------------------|---------------|--------------------|----------------------|--------------------|----------------------|--------------------|----------------------|--------------------|
| | Soil, 3-Soil-Shallow | Soil, 3-Soil-Deep | Soil, 4-Soil | Groundwater, 4-SGW | Soil, 5-Soil-Shallow | Groundwater, 5-SGW | Soil, 5-Soil-Shallow | Groundwater, 5-SGW | Soil, 5-Soil-Shallow | Groundwater, 5-SGW |
| Sample ID Number | 100779 | 100765 | 100763 | 100793 | 100780 | 100766 | 100780 | 100766 | 100780 | 100766 |
| Laboratory Report Date | 86748 | 86749 | 86742 | 86743 | 86750 | 86751 | 86750 | 86751 | 86750 | 86751 |
| | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 |
| Component | 80s Tank Farm | | 80s Tank Farm | | 80s Tank Farm | | 80s Tank Farm | | 80s Tank Farm | |
| Open Cup Flash Point | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Reactive Cyanide | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Reactive Sulfide | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| pH | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Cyanide | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Solids | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Arsenic | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Barium | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Cadmium | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Chromium | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Lead | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Mercury | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Selenium | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Silver | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Benzene | 125 | 0.534 | 0.003 | 0.002 | 0.08 | 0.231 | 0.08 | 0.231 | 0.08 | 0.231 |
| Total Ethylbenzene | 11.4 | 0.015 | 0.019 | 0.011 | 0.052 | 0.115 | 0.052 | 0.115 | 0.052 | 0.115 |
| Total Toluene | 34.1 | 0.073 | 0.004 | 0.003 | 0.004 | 0.0403 | 0.004 | 0.0403 | 0.004 | 0.0403 |
| Total Xylenes | 49.7 | 0.095 | 0.071 | 0.041 | 0.074 | 0.598 | 0.074 | 0.598 | 0.074 | 0.598 |
| Total BTEX | 220 | 0.717 | 0.097 | 0.057 | 0.21 | 0.995 | 0.21 | 0.995 | 0.21 | 0.995 |
| TCLP Benzene | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Carbon Tetrachloride | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Chlorobenzene | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Chloroform | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP o-Cresol | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP m-Cresol | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

0997-10895

Five Acres Sample Analytical Results

| Laboratory ID Number | 80s Tank Farm Soil, 3-Soil-Shallow | 80s Tank Farm Soil, 3-Soil-Deep | 80s Tank Farm Soil, 4-Soil | 80s Tank Farm Groundwater, 4-SGW | 80s Tank Farm Soil, 5-Soil-Shallow | 80s Tank Farm Groundwater, 5-SGW |
|-------------------------------|---------------------------------------|------------------------------------|-------------------------------|-------------------------------------|---------------------------------------|-------------------------------------|
| Sample ID Number | 100779 | 100765 | 100763 | 100793 | 100780 | 100766 |
| Laboratory Report Date | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 |
| Component | | | | | | |
| TCLP p-Cresol | NA | NA | NA | NA | NA | NA |
| TCLP Total Cresol | NA | NA | NA | NA | NA | NA |
| TCLP 1,4-Dichlorobenzene | NA | NA | NA | NA | NA | NA |
| TCLP 1,2-Dichloroethane | NA | NA | NA | NA | NA | NA |
| TCLP 1,1-Dichloroethene | NA | NA | NA | NA | NA | NA |
| TCLP 2,4-Dinitrotoluene | NA | NA | NA | NA | NA | NA |
| TCLP Hexachlorobenzene | NA | NA | NA | NA | NA | NA |
| TCLP Hexachloro-1,3-butadiene | NA | NA | NA | NA | NA | NA |
| TCLP Hexachloroethane | NA | NA | NA | NA | NA | NA |
| TCLP Methyl Ethyl Ketone | NA | NA | NA | NA | NA | NA |
| TCLP Nitrobenzene | NA | NA | NA | NA | NA | NA |
| TCLP Pentachlorophenol | NA | NA | NA | NA | NA | NA |
| TCLP Pyridine | NA | NA | NA | NA | NA | NA |
| TCLP Tetrachloroethylene | NA | NA | NA | NA | NA | NA |
| TCLP Trichloroethylene | NA | NA | NA | NA | NA | NA |
| TCLP 2,4,5-Trichlorophenol | NA | NA | NA | NA | NA | NA |
| TCLP 2,4,6-Trichlorophenol | NA | NA | NA | NA | NA | NA |
| TCLP Vinyl Chloride | NA | NA | NA | NA | NA | NA |

0997-10896

Five Acres Sample Analytical Results

| Laboratory ID Number | 80s Tank Farm Soil, 6-Soil Shallow | 80s Tank Farm Soil, 6-Soil Deep | 80s Tank Farm Soil, 7-Soil | 80s Tank Farm Groundwater, 7-SCW |
|---------------------------|---------------------------------------|------------------------------------|-------------------------------|-------------------------------------|
| Sample ID Number | 100777 | 100778 | 100776 | 100764 |
| Laboratory Report Date | 07/07/94 | 07/07/94 | 07/07/94 | 07/07/94 |
| Component | | | | |
| Open Cup Flash Point | NA | NA | NA | NA |
| Reactive Cyanide | NA | NA | NA | NA |
| Reactive Sulfide | NA | NA | NA | NA |
| pH | NA | NA | NA | NA |
| Total Cyanide | NA | NA | NA | NA |
| Total Solids | NA | NA | NA | NA |
| TCLP Arsenic | NA | NA | NA | NA |
| TCLP Barium | NA | NA | NA | NA |
| TCLP Cadmium | NA | NA | NA | NA |
| TCLP Chromium | NA | NA | NA | NA |
| TCLP Lead | NA | NA | NA | NA |
| TCLP Mercury | NA | NA | NA | NA |
| TCLP Selenium | NA | NA | NA | NA |
| TCLP Silver | NA | NA | NA | NA |
| Total Benzene | 164 | 32.1 | 6.28 | 21.4 |
| Total Ethylbenzene | 2.76 | 0.015 | 25.7 | 40.8 |
| Total Toluene | 5.59 | 0.054 | 65.5 | 102 |
| Total Xylenes | 9.74 | 0.032 | 106 | 29.4 |
| Total BTEX | 182 | 32.2 | 204 | 194 |
| TCLP Benzene | NA | NA | NA | NA |
| TCLP Carbon Tetrachloride | NA | NA | NA | NA |
| TCLP Chlorobenzene | NA | NA | NA | NA |
| TCLP Chloroform | NA | NA | NA | NA |
| TCLP o-Cresol | NA | NA | NA | NA |
| TCLP m-Cresol | NA | NA | NA | NA |

0997-10897

Five Acres Sample Analytical Results

| Laboratory ID Number | 80s Tank Farm Soil, 6-Soil-Shallow | | 80s Tank Farm Soil, 6-Soil-Deep | | 80s Tank Farm Soil, 7-Soil | | 80s Tank Farm Groundwater, 7-SCW | |
|-------------------------------|---------------------------------------|--|------------------------------------|--|-------------------------------|--|-------------------------------------|--|
| | Sample ID Number | | Sample ID Number | | Sample ID Number | | Sample ID Number | |
| Laboratory Report Date | 07/07/94 | | 07/07/94 | | 07/07/94 | | 07/07/94 | |
| Component | | | | | | | | |
| TCLP p-Cresol | NA | | NA | | NA | | NA | |
| TCLP Total Cresol | NA | | NA | | NA | | NA | |
| TCLP 1,4-Dichlorobenzene | NA | | NA | | NA | | NA | |
| TCLP 1,2-Dichloroethane | NA | | NA | | NA | | NA | |
| TCLP 1,1-Dichloroethene | NA | | NA | | NA | | NA | |
| TCLP 2,4-Dinitrotoluene | NA | | NA | | NA | | NA | |
| TCLP Hexachlorobenzene | NA | | NA | | NA | | NA | |
| TCLP Hexachloro-1,3-butadiene | NA | | NA | | NA | | NA | |
| TCLP Hexachloroethane | NA | | NA | | NA | | NA | |
| TCLP Methyl Ethyl Ketone | NA | | NA | | NA | | NA | |
| TCLP Nitrobenzene | NA | | NA | | NA | | NA | |
| TCLP Pentachlorophenol | NA | | NA | | NA | | NA | |
| TCLP Pyridine | NA | | NA | | NA | | NA | |
| TCLP Tetrachloroethylene | NA | | NA | | NA | | NA | |
| TCLP Trichloroethylene | NA | | NA | | NA | | NA | |
| TCLP 2,4,5-Trichlorophenol | NA | | NA | | NA | | NA | |
| TCLP 2,4,6-Trichlorophenol | NA | | NA | | NA | | NA | |
| TCLP Vinyl Chloride | NA | | NA | | NA | | NA | |

0997-10898

Catalyst Sample Analytical Results

Summary

Spent catalysts are generated from a variety of processes at the Blue Island Refinery. In addition, unused catalysts are occasionally deemed unneeded, and must therefore be discarded. Numerous catalyst samples have been collected at the Clark Blue Island Refinery. The samples include a grab FCC catalyst sample, a catalyst balls grab sample (unused catalyst), an aluminum tower waste catalyst sample, and a sample of R-50 platform catalyst. The FCC catalyst sample and the catalyst balls sample were analyzed for various characteristics including the TCLP. The aluminum tower waste catalyst sample was analyzed for TCLP and PCBs, and the volatile constituents of the RCRA F001 through F005 listed wastes. The R-50 platform catalyst sample was analyzed for TCLP constituents.

The catalyst samples analyzed for various physical characteristics (pH, reactivity, ignitability, etc.) were within acceptable limits for all components. The TCLP analyses revealed detectable concentrations of arsenic in one sample, barium in three samples, cadmium in one sample, chromium in one sample, and lead in two samples. PCBs were not detected in the aluminum tower waste catalyst sample. Additionally, the aluminum tower waste catalyst sample revealed acetone in the F003 listed waste analysis and cresols or cresylic acid in the F004 listed waste analysis.

Characterization Guidelines

In general, existing analytical results from catalyst samples consistently indicated the presence of TCLP inorganics. Therefore, at a minimum catalyst samples should be analyzed for TCLP constituents during waste characterization for disposal. Additional analyses may be advised for catalysts that come into contact with hazardous organic constituents during their process life, and all analyses should be selected on a wastestream dependant basis. Existing documentation, such as material safety data sheets and product profile materials, should be used to identify target parameters for proper characterization of catalyst.

Catalyst Sample Analytical Results

0997-10900

| Laboratory ID Number | Grab | Catalyst Balls | Waste Grab | R-50 Platform Catalyst |
|------------------------------|--------------|----------------|-------------------------|------------------------|
| | FCC Catalyst | 300 | Aluminum Tower Catalyst | |
| Sample ID Number | 95131 | 95383 | 104320 | 110924 |
| Laboratory Report Date | 79348 | 80187 | 92290 | 00375 |
| | 04/25/94 | 05/04/94 | 08/31/94 | 11/22/94 |
| Component | | | | |
| Open Cup Flash Point | >180 F | >180 F | >180 F | NA |
| Reactive Cyanide | ND | ND | ND | NA |
| Reactive Sulfide | ND | ND | ND | NA |
| pH | 6.3 | 4.33 | 5.54 | NA |
| Closed Cup Flash Point | NA | NA | NA | NA |
| Total Cyanide | NA | NA | ND | NA |
| Extractable Organic Halogens | NA | NA | NA | NA |
| Paint Filter | NA | NA | Pass | NA |
| Total Phenolics | NA | NA | ND | NA |
| Total Solids | NA | NA | NA | NA |
| Specific Gravity | NA | NA | NA | NA |
| | | | | |
| TCLP Arsenic | ND | ND | 0.74 | ND |
| TCLP Barium | 0.36 | ND | 0.16 | 1.8 |
| TCLP Cadmium | ND | 0.03 | ND | ND |
| TCLP Chromium | ND | ND | ND | 0.1 |
| TCLP Lead | ND | ND | 0.1 | 0.48 |
| TCLP Mercury | ND | ND | ND | ND |
| TCLP Selenium | ND | ND | ND | ND |
| TCLP Silver | ND | ND | ND | ND |
| | | | | |
| TCLP Benzene | ND | ND | ND | ND |
| TCLP Carbon Tetrachloride | ND | ND | ND | ND |
| TCLP Chlorobenzene | ND | ND | ND | ND |
| TCLP Chloroform | ND | ND | ND | ND |
| TCLP o-Cresol | ND | ND | ND | ND |
| TCLP m-Cresol | ND | ND | ND | ND |
| TCLP p-Cresol | ND | ND | ND | ND |

Catalyst Sample Analytical Results

0997-10901

| | Grab RCC Catalyst | Catalyst Balls 30C | Waste Grab Aluminum Tower Catalyst | R-50 Platform Catalyst |
|-------------------------------|----------------------|-----------------------|---------------------------------------|------------------------|
| Laboratory ID Number | 95151 | 93383 | 104320 | 110924 |
| Sample ID Number | 79348 | 80187 | 92290 | 00575 |
| Laboratory Report Date | 04/25/94 | 05/04/94 | 08/31/94 | 11/22/94 |
| Component | | | | |
| TCLP Total Cresol | ND | ND | ND | ND |
| TCLP 1,4-Dichlorobenzene | ND | ND | ND | ND |
| TCLP 1,2-Dichloroethane | ND | ND | ND | ND |
| TCLP 1,1-Dichloroethene | ND | ND | ND | ND |
| TCLP 2,4-Dinitrotoluene | ND | ND | ND | ND |
| TCLP Hexachlorobenzene | ND | ND | ND | ND |
| TCLP Hexachloro-1,3-butadiene | ND | ND | ND | ND |
| TCLP Hexachloroethane | ND | ND | ND | ND |
| TCLP Methyl Ethyl Ketone | ND | ND | ND | ND |
| TCLP Nitrobenzene | ND | ND | ND | ND |
| TCLP Pentachlorophenol | ND | ND | ND | ND |
| TCLP Pyridine | ND | ND | ND | ND |
| TCLP Tetrachloroethylene | ND | ND | ND | ND |
| TCLP Trichloroethylene | ND | ND | ND | ND |
| TCLP 2,4,5-Trichlorophenol | ND | ND | ND | ND |
| TCLP 2,4,6-Trichlorophenol | ND | ND | ND | ND |
| TCLP Vinyl Chloride | ND | ND | ND | ND |
| Total PCB 1221 | NA | NA | ND | NA |
| Total PCB 1232 | NA | NA | ND | NA |
| Total PCB 1016 (1242) | NA | NA | ND | NA |
| Total PCB 1248 | NA | NA | ND | NA |
| Total PCB 1254 | NA | NA | ND | NA |
| Total PCB 1260 | NA | NA | ND | NA |
| Total PCB | NA | NA | ND | NA |
| F001 | | | | |
| Total Tetrachloroethylene | NA | NA | ND | NA |

Catalyst Sample Analytical Results

0997-10902

| Laboratory ID Number Sample ID Number Laboratory Report Date | Grab | Catalyst Balls 30C | Waste Grab | R-50 Platform Catalyst |
|--|--------------|-----------------------|-------------------------|------------------------|
| | FCC Catalyst | | Aluminum Tower Catalyst | |
| | 95151 | 95383 | 104320 | 110924 |
| | 79348 | 80187 | 92290 | 00575 |
| | 04/25/94 | 05/04/94 | 08/31/94 | 11/22/94 |
| Component | | | | |
| Total Trichloroethylene | NA | NA | ND | NA |
| Total Methylene Chloride | NA | NA | ND | NA |
| Total 1,1,1-Trichloroethane | NA | NA | ND | NA |
| Total Carbon Tetrachloride | NA | NA | ND | NA |
| | | | | |
| F002 | | | | |
| Total Tetrachloroethylene | NA | NA | ND | NA |
| Total Methylene Chloride | NA | NA | ND | NA |
| Total Trichloroethylene | NA | NA | ND | NA |
| Total 1,1,1-Trichloroethane | NA | NA | ND | NA |
| Total Chlorobenzene | NA | NA | ND | NA |
| Total 1,1,2-Trichloro-1,2,2-Trifluoroethane | NA | NA | ND | NA |
| Total Ortho-Dichlorobenzene | NA | NA | ND | NA |
| Total Trichlorofluoromethane | NA | NA | ND | NA |
| Total 1,1,2-Trichloroethane | NA | NA | ND | NA |
| | | | | |
| F003 | | | | |
| Total Xylenes | NA | NA | ND | NA |
| Total Acetone | NA | NA | 1.5 | NA |
| Total Ethyl Acetate | NA | NA | ND | NA |
| Total Ethyl Benzene | NA | NA | ND | NA |
| Total Ether | NA | NA | ND | NA |
| Total Methyl Isobutyl Ketone | NA | NA | ND | NA |
| Total n-Butyl Alcohol | NA | NA | ND | NA |
| Total Cyclohexanone | NA | NA | ND | NA |
| Total Methanol | NA | NA | ND | NA |
| | | | | |
| F004 | | | | |

Catalyst Sample Analytical Results

| Laboratory ID Number | Grab | Catalyst Balls 30C | Waste Grab Aluminum Tower Catalyst | R-50 Platform Catalyst |
|--------------------------------|--------------|-----------------------|---------------------------------------|------------------------|
| | FCC Catalyst | | | |
| Sample ID Number | 95151 | 95383 | 104320 | 110924 |
| Laboratory Report Date | 79348 | 80187 | 97290 | 00575 |
| | 04/25/94 | 05/04/94 | 08/31/94 | 11/22/94 |
| Component | | | | |
| Total Cresols or Cresylic Acid | NA | NA | 0.244 | NA |
| Total Nitrobenzene | NA | NA | ND | NA |
| P005 | | | | |
| Total Toluene | NA | NA | ND | NA |
| Total Methyl Ethyl Ketone | NA | NA | ND | NA |
| Total Carbon Disulfides | NA | NA | ND | NA |
| Total Isobutanol | NA | NA | ND | NA |
| Total Pyridine | NA | NA | ND | NA |
| Total 2-Ethoxyethanol | NA | NA | ND | NA |
| Total Benzene | NA | NA | ND | NA |
| Total 2-Nitropropane | NA | NA | ND | NA |

0997-10903

Sandblasting Area Removal and Upgrade Action Plan

Sandblasting activities outside the east side of the Weld Shop at the Main Refinery have resulted in the dispersal of sandblast grit onto the ground of the surrounding area. Although this sandblast grit is not a hazardous waste, it has occasionally drifted offsite creating a visual problem in the area. This plan provides a summary of the procedures which should be followed to remove released sandblast grit, and mitigate the potential for future releases of this material.

Removal Action

Released sandblast grit in the area should be removed by scraping the upper few inches of soil in the vicinity of the sandblasting area. This can be done with a front-end loader, or by hand with shovels. The material should be placed in a suitable container (e.g., roll-off box) and transported offsite for disposal. A sample of spent sandblast grit has been analyzed recently to determine if it exhibits any hazardous waste characteristics. The analytical results from this sample indicated that no TCLP metal constituents above the regulatory limits are present in the material; therefore, the material can be disposed of as a solid waste (special waste).

Sandblast Unit Upgrade

Currently, the sandblast unit consists of a small metal shed covering the sandblast equipment. The shed has walls on the east and west sides, and a roof. The backside of the shed (north side) is open, allowing sandblast grit to drift from the unit through the chainlink fence on the north side of the Main Refinery property line.

Minimal upgrades to the sandblast unit would significantly decrease the potential for sandblast grit release. The north side of the sandblast shed should be enclosed with corrugated metal siding or plywood. Sandblast grit which accumulates on the floor of the shed should be removed and placed in a container on a regular basis, preferably after each sandblasting event. Any sandblast grit which is released from the unit should be cleaned up immediately. A dedicated container (e.g., a drum) should be placed near the unit to accumulate sandblast grit. The container should be labeled with the words "sandblast grit", and removed for offsite disposal when it is filled. The Clark Blue Island Environmental Department should be notified when the container is completely filled. The Environmental Department will arrange for offsite disposal. Typically, the material can be disposed of as a special waste. Proper personal protective equipment should be worn during sandblasting activities.

Clark Blue Island Environmental Guidance Brief Sludge Management

Introduction

Appropriate management of sludge generated at the Clark Blue Island refinery is essential for compliance with hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA). There are four types of sludge generated at the refinery which are listed as RCRA hazardous wastes. These sludges, and their regulatory definitions are as follows:

- Primary Oil/Water/Solids Separation Sludge (F037) - Any sludge generated from the gravitational separation of oil/water/solids during the storage of treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in oil/water/solids separators, tanks and impoundments, ditches and other conveyances, sumps, and stormwater units receiving dry weather flow.
- Secondary Oil/Water/Solids Separation Sludge (F038) - Any sludge and/or float generated from the physical and/or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in induced air floatation units, tanks and impoundments, and all sludges generated in DAF units.
- Heat Exchanger Bundle Cleaning Sludge (K050) - Sludges and solids generated from bundle cleaning activities.
- API Separator Sludge (K051) - Sludge generated from the API Separator at the oily water treatment system.

In general, Clark Blue Island employees will not have extensive contact with these wastes. Generation of these sludges usually occurs during cleanout activities at sumps, catch basins, or the API Separator. The purpose of this guidance brief is to familiarize Clark Blue Island employees with appropriate sludge management protocol. The Clark Blue Island Environmental Department should be contacted prior to the commencement of any sludge handling activity.

Sludge Management at Cleanout Basins

Periodic cleanout of sumps and drains at the refinery is necessary to prevent clogging of the sewer system with sludge. These cleanout episodes result in the generation of solids which will typically be classified as hazardous waste sludges. Primary and bundle cleaning sludges are the most common examples at the main refinery. In general, it is Clark policy to have these cleanout activities be conducted by contractors; however, management and disposal of hazardous waste is still Clark's responsibility. The following guidelines should be followed before, during, and after sludge cleanout events:

- The Clark Blue Island Environmental Department should be contacted prior to planning a cleanout.

- Contractor's performing the cleanout must have all appropriate training (OSHA) and certifications.
- Sludges should be accumulated in a suitable container immediately upon generation (as soon as it is removed from a basin or sump).
- Sludges removed from the cleanout should never be placed directly on the ground, or anywhere that a release to the environment could occur.
- Appropriate personal protective equipment (PPE) should be worn at all times.
- Containers holding sludge should be closed when not in use.
- All accumulation containers should be labelled according to Clark protocol.
- After containers are filled, they should be placed in a central location for safekeeping and inspection.
- Sludges should not be transported off the main refinery, or on any public road, unless they are manifested to a permitted treatment, storage, or disposal facility (TSDF).
- All sludge must be transported offsite by a licensed transporter to a permitted TSDF within 90 days of the time of generation.

Most of the labelling, inspecting, and recordkeeping requirements listed above will be conducted by the Environmental Department.

Sludge Management at the Oily Water Treatment System

As with the cleanout basins, sludge removal from the oily water treatment system will be conducted by contractors. The most common sludge generated during these cleaning episodes will be API Separator sludge. In addition, float from the DAF unit at the treatment system is also a hazardous waste which may be generated periodically. All procedures listed for management of sludge from cleanout basins also apply to sludge from the API Separator. This sludge is typically run through a centrifuge for further separation prior to accumulation of the sludge. The actual point of generation occurs at the time the sludge is removed from the API Separator; therefore, there should be no interim storage of sludge prior to the centrifuge step. Accumulation of sludge begins as soon as the material is removed from the centrifuge and placed in suitable containers. The oil removed from the centrifuge is recycled at the refinery.

**Proposed Action Plan
for
Management of Used Oil
at
Clark Blue Island Refinery**

Purpose

The purpose of this proposed plan is to provide an alternative to the current method of used oil management at the Clark Blue Island Refinery. Used oil is generated as a result of maintenance activities at various units throughout the Refinery. Currently, used oil generated during these maintenance activities is collected at the unit, and then stored in drums and tanks at the Maintenance Department. This practice creates space limitations at the Maintenance Department, and transport of used oil across the Refinery as well as storage and management limitations has resulted in safety and environmental concerns. This plan presents an alternative method of managing used oil at the Refinery which would minimize safety and environmental concerns.

Scope

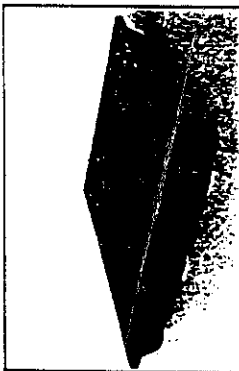
At the time of generation, used oil would be accumulated in a designated area—within the unit or area it is generated. The designated area would be selected by maintenance personnel and unit operators, with assistance from safety and environmental. Maintenance personnel working in the unit would be responsible for accumulation and management of the used oil while in the unit. Used oil would be accumulated in 55-gallon drums at the designated accumulation area. These accumulation drums would be equipped with a polyethylene drum funnel and a drum tray. Examples of each of these devices are shown on Attachment A. The purpose of these devices is to prevent spills during pouring and provide secondary containment for the accumulation container.

When not being filled or emptied, the accumulation containers shall remain closed. Maintenance personnel will be responsible for ensuring that the containers are kept closed when not in use, and that the containers are properly labeled. When accumulation containers are filled, maintenance personnel will notify the Environmental Department. The Environmental Department will be responsible for arranging offsite disposal of the used oil.

Reusable Plastic Pallets

HIGH DENSITY

POLYETHYLENE
Durable 40" x 48" pallets come in light and heavy duty. Light duty features a 2,500 lb. capacity and the heavy duty pallets feature a 3,000 lb. capacity. Green pallets are FDA and USDA accepted for food applications. Black pallets are excellent for industrial applications.



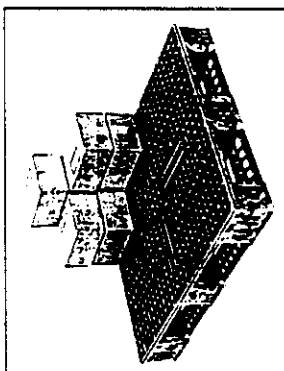
| Part No. | Description | Color | Price Each |
|----------|-------------|-------|------------|
| 30200LE | Light Duty | Green | 44.50 |
| 30202LE | Heavy Duty | Green | 67.70 |
| 30204LE | Light Duty | Black | 40.80 |
| 30206LE | Heavy Duty | Black | 62.65 |

Discount: Less 5% 1 or more

Double Stack Plastic Pallets

HIGH DENSITY

POLYETHYLENE
Durable 40" x 48" pallets feature a 5,000 lb. capacity and a double deck for stable stacking and added strength. Pallets are USDA and FDA approved. Optional lip around perimeter of pallet prevents product from slipping during transport.



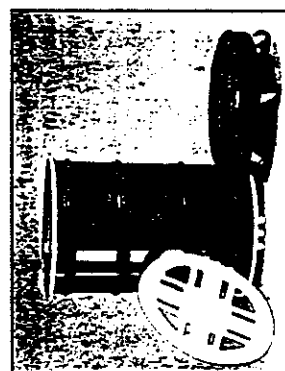
NEW!

| Part No. | Description | Color | Price Each |
|----------|-------------|-------|------------|
| 30212LE | Without Lip | Black | 84.60 |
| 30214LE | With Lip | Black | 86.20 |
| 30208LE | Without Lip | Blue | 89.82 |
| 30210LE | With Lip | Blue | 93.65 |

Discount: Less 5% 1 or more

Universal Drum Dolly and Round Plastic Pallet

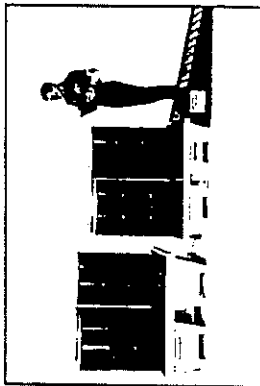
Universal drum dolly supports loads up to 500 lbs. Ideal for 30- and 55-gallon drums. Rugged Duramold™ construction is seamless, rustproof, and easy to clean. Color is black. Round white pallet, made of high impact plastic, holds up to 1,000 lbs., and operates in temperatures up to 120°F. Pallet has



Hazardous Material Storage Pallets

POLYETHYLENE

Pallets safely hold four 55-gal. drums and feature translucent yellow sides and removable black decking. Large pallet has a 94-gal. sump capacity and 6,000 lb. maximum load capacity. Small pallet has a 70-gal. sump capacity and 3,000 lb. maximum load capacity. Polyethylene ramp allows easy access to small pallet and has a 1,000 lb. maximum load capacity. Pallets meet EPA container storage regulation 40 CFR 264.175.



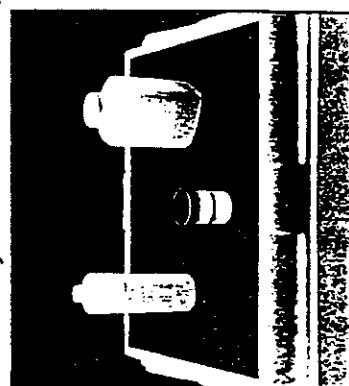
NEW!

| Part No. | Description | Size (In.) L x W x H | Price Each |
|----------|--------------|--------------------------|------------|
| 31270LE | Large Pallet | 49 1/2 x 49 1/2 x 17 | 338.00 |
| 31269LE | Small Pallet | 48 1/2 x 49 1/2 x 11 1/2 | 293.00 |
| 31271LE | Ramp | 65 x 31 x 12 1/2 | 235.00 |

Lab Spill Containment Tray

POLYETHYLENE

Wide surface holds up to four, 1-gallon bottles. The tray controls spills and overflows of liquid and free-flowing powder chemicals during the transfer of materials in the laboratory or the pharmacy. Removable grate for easy cleaning. Secondary containment capacity is 3 gal. Will not rust.



| Part No. | Size L x W x H (In.) | Price Each |
|----------|-------------------------|------------|
| 31278LE | 21 x 20 1/2 x 2 1/2 | 59.00 |

Discount: Less 5% 4-7, 10% 8 or more

Hazardous Materials Salvage Drum

POLYETHYLENE

100% lightweight polyethylene construction with a 95-gallon capacity. Able to contain a broad range of materials and chemicals including acids and corrosives. Large 27 1/2" opening at top enables easy storage of drums 55 gallons or smaller. Hassle-free twist-on lid. Space-saving nesting capabilities for empty containers. Meets or exceeds all performance requirements of DOT 49 CFR 173.33(C) and is UN certified. Versatile applications include emergency response, on-site storage, transportation, secondary containment, and cleanups.



| Part No. | Description | Capacity (G) |
|----------|-------------------|--------------|
| 31260LE | Poly Salvage Drum | 95 |

* Drum Containment Center

POLYETHYLENE

The drum tray catches drips and spills before they hit the ground. The geometric shape covers more of the floor surface area than conventional round drip trays cover. Polyethylene tray is resistant to chemicals and handles drums up to 55-gallons. Total liquid capacity is 20 gallons. Use for satellite material dispensing or collecting stations, drum pumping stations, and battery storage.



| Part No. | Size Dia. x H. (In.) |
|----------|-------------------------|
| 31280LE | 37 x 8 |

Discount: Less 5% 4-7, 10% 8 or more

* Drainage Drum Funnel

POLYETHYLENE

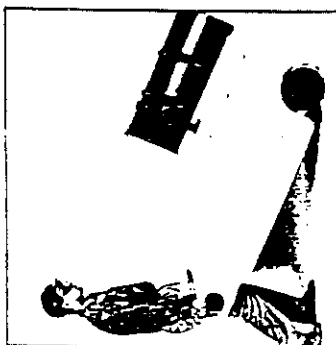
Funnel allows safe pouring of hazardous liquids as well as passive draining of oil filters, laboratory beakers, and bottles. Drum funnel accommodates all 30- and 55-gallon closed drums. Two inch sidewall



Large Capacity Pall Funnel

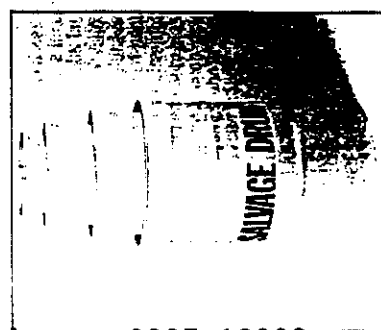
POLYETHYLENE

anti-splash pall funnel mounts to any 3 1/2-5- and 6-gallon tight head pails with 1 1/4" inside diameters, both steel and plastic. Two inch high tapered sidewalls designed to eliminate overspill when pouring and draining liquid.



| Size L x W x H (In.) | Price Each |
|----------------------|------------|
| 23 x 27 x 69 | 479.80 |

8 or more

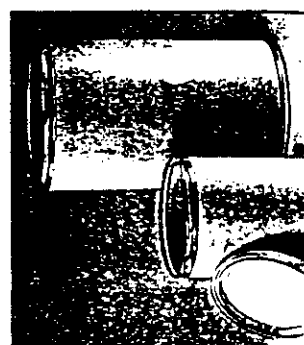


0997-110908

| Inside Dia. (In.) | Inside H. (In.) | Gauge | Price Each |
|-------------------|-----------------|-------|------------|
| 14 | 24 | 18 | 58.95 |
| 18 1/4 | 28 | 18 | 69.80 |
| 22 1/2 | 34 | 16 | 95.00 |
| 25 1/2 | 38 | 16 | 156.65 |

on more

Locking Rims



Contaminated Soil Sample Analytical Results

Summary

Numerous contaminated soil samples have been collected from the Clark Blue Island facility. Generally, contaminated soil samples are collected as a result of a spill or release onto the ground at various locations throughout the refinery. Analytical results of contaminated soil samples from the refinery have been analyzed TCLP constituents, benzene, toluene, ethylbenzene and xylenes (BTEX), PCBs, and total volatile constituents.

The RCRA characteristics analyses revealed reactive sulfide concentrations ranging from non-detect to 922 parts per million (ppm), with all other RCRA characteristics within acceptable limits. One soil sample analyzed for total inorganics revealed detectable concentrations of arsenic, copper, mercury, and zinc. Many samples analyzed for BTEX contained detectable concentrations of benzene and ethylbenzene in one sample and toluene and xylenes in two samples. The TCLP inorganic analyses revealed detectable concentrations of barium in numerous samples, as well as cadmium, lead, and zinc in other samples. Benzene was detected in one TCLP organic analysis. No detectable concentrations were observed in the PCBs or the RCRA F001 through F005 listed waste analyses.

Characterization Guidelines

Selection of appropriate analyses for contaminated soils generated by specific wastestreams should be dependant on the constituents of the wastestream; however, existing sample documentation does provide adequate characterization of contaminated soil generated from non-specific wastestreams. During sampling investigations of contaminated soil resulting from a non-specific wastestream (such as in spills), contaminated soils should be analyzed for total inorganics, total volatile organics, and potentially PCBs. Samples should be analyzed for TCLP contaminants and potentially PCBs during waste characterization sampling of contaminated soils generated from non-specific wastestreams.

At minimum, samples of contaminated soil generated from specific wastestreams should be analyzed for the same hazardous constituents recommended for contaminated soils generated from non-specific wastestreams. Additional analyses should be performed if the recommended analyses do not adequately characterize the wastestream from a specific wastestream.

Contaminated Soil Sample Analytical Results

0997-10910

| Laboratory ID Number Sample ID Number Laboratory Report Date | Soil Cumene Contaminated | Soil Grab 55 Gallon Drum | Soil Grab Tank 61 | Soil Grab Tank 62 | Soil Grab Tank 64 | Soil Excavation Soil Piles | Soil Grab 20A | Soil Grab 20B |
|--|-----------------------------|-----------------------------|----------------------|----------------------|----------------------|-------------------------------|------------------|------------------|
| | | | | | | | | |
| | 55718 | 56538 | 91610 | 91611 | 91612 | 94943 | 95459 | 95460 |
| | 36287 | 34463 | 73977 | 73978 | 73979 | 78989 | 79728 | 79729 |
| | 12/08/92 | 12/16/92 | 02/24/94 | 02/24/94 | 01/24/94 | 04/20/94 | 04/29/94 | 04/29/94 |
| Component | | | | | | | | |
| Total Cyanide | NA | NA | NA | NA | NA | NA | NA | NA |
| Open Cup Flash Point | NA | NA | >180 F | >180 F | >180 F | >180 F | >180 F | >180 F |
| Paint Filter | NA | NA | NA | NA | NA | NA | NA | NA |
| Reactive Cyanide | NA | NA | ND | ND | ND | ND | ND | ND |
| Reactive Sulfide | NA | NA | ND | 360 | ND | 11.54 | ND | ND |
| Total Phenolics | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Solids | NA | NA | NA | NA | NA | NA | NA | NA |
| pH | NA | NA | 8.9 | 7.87 | 7.64 | 8.53 | 8.89 | 7.9 |
| Specific Gravity | NA | NA | NA | NA | NA | NA | NA | NA |
| | | | | | | | | |
| Total Arsenic | NA | 1.5 | NA | NA | NA | NA | NA | NA |
| Total Copper | NA | 4.3 | NA | NA | NA | NA | NA | NA |
| Total Mercury | NA | 0.11 | NA | NA | NA | NA | NA | NA |
| Total Selenium | NA | ND | NA | NA | NA | NA | NA | NA |
| Total Silver | NA | ND | NA | NA | NA | NA | NA | NA |
| Total Zinc | NA | 19 | NA | NA | NA | NA | NA | NA |
| | | | | | | | | |
| TCLP Arsenic | NA | NA | ND | ND | ND | ND | ND | ND |
| TCLP Barium | NA | NA | 0.46 | 0.41 | 0.34 | 1.2 | 0.66 | 0.44 |
| TCLP Cadmium | NA | NA | ND | ND | ND | ND | ND | ND |
| TCLP Chromium | NA | NA | ND | ND | ND | ND | ND | ND |
| TCLP Copper | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Lead | NA | NA | ND | ND | 0.14 | 0.2 | 0.11 | ND |
| TCLP Mercury | NA | NA | ND | ND | ND | ND | ND | ND |
| TCLP Nickel | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Selenium | NA | NA | ND | ND | ND | ND | ND | ND |
| TCLP Silver | NA | NA | ND | ND | ND | ND | ND | ND |
| TCLP Zinc | NA | NA | NA | NA | NA | NA | NA | NA |

Contaminated Soil Sample Analytical Results

0997-10911

| Laboratory ID Number Sample ID Number Laboratory Report Date | Soil Cumene Contaminated | Soil Grab 55-Gallon Drum | Soil Grab Tank 61 | Soil Grab Tank 62 | Soil Grab Tank 64 | Soil Excavation Soil Piles | Soil Grab 20A | Soil Grab 20B |
|--|-----------------------------|-----------------------------|----------------------|----------------------|----------------------|-------------------------------|------------------|------------------|
| | | | | | | | | |
| | 55718 | 56538 | 91610 | 91611 | 91612 | | 94943 | 95459 |
| | 36287 | 34463 | 73977 | 73978 | 73979 | | 78989 | 79728 |
| | 12/08/92 | 12/16/92 | 02/24/94 | 02/24/94 | 02/24/94 | | 04/20/94 | 04/29/94 |
| Component | | | | | | | | |
| TCLP 2,4,6-Trichlorophenol | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Vinyl Chloride | NA | ND | ND | ND | ND | ND | ND | ND |
| | | | | | | | | |
| Total PCB 1221 | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1232 | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1016 (1242) | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1248 | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1254 | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1260 | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB | NA | NA | NA | NA | NA | NA | NA | NA |
| | | | | | | | | |
| F001 | | | | | | | | |
| Total Tetrachloroethylene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Trichloroethylene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methylene Chloride | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,1-Trichloroethane | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Carbon Tetrachloride | NA | NA | NA | NA | NA | NA | NA | NA |
| | | | | | | | | |
| F002 | | | | | | | | |
| Total Tetrachloroethylene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methylene Chloride | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Trichloroethylene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,1-Trichloroethane | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Chlorobenzene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,2-Trichloro-1,2,2-Trifluoroethane | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Ortho-Dichlorobenzene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Trichlorofluoromethane | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,2-Trichloroethane | NA | NA | NA | NA | NA | NA | NA | NA |

Contaminated Soil Sample Analytical Results

0997-10912

| Laboratory ID Number Sample ID Number Laboratory Report Date | Soil Cumene Contaminated | Soil Grab 55-Gallon Drum | Soil Grab Tank 61 | Soil Grab Tank 62 | Soil Grab Tank 64 | Soil Excavation Soil Piles | Soil Grab 20A | Soil Grab 20B |
|--|-----------------------------|-----------------------------|----------------------|----------------------|----------------------|-------------------------------|------------------|------------------|
| | | | | | | | | |
| | 55718 | 56538 | 91610 | 91611 | 91612 | 94943 | 95459 | 95460 |
| | 36287 | 34463 | 73977 | 73978 | 73979 | 78989 | 79728 | 79729 |
| | 12/08/92 | 12/16/92 | 02/24/94 | 02/24/94 | 02/24/94 | 04/20/94 | 04/29/94 | 04/29/94 |
| Component | | | | | | | | |
| Total Benzene | NA | ND | NA | NA | NA | NA | NA | NA |
| Total Ethylbenzene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Toluene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Xylene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total BTEX | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Cumene | 51.4 | NA | NA | NA | NA | NA | NA | NA |
| TCLP Benzene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Carbon Tetrachloride | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Chlorobenzene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Chloroform | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP o-Cresol | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP m-Cresol | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP p-Cresol | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Total Cresol | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP 1,4-Dichlorobenzene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP 1,2-Dichloroethane | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP 1,1-Dichloroethene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP 2,4-Dinitrotoluene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Hexachlorobenzene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Hexachloro-1,3-butadiene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Hexachloroethane | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Methyl Ethyl Ketone | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Nitrobenzene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Pentachlorophenol | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Pyridine | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Tetachloroethylene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP Trichloroethylene | NA | ND | ND | ND | ND | ND | ND | ND |
| TCLP 2,4,5-Trichlorophenol | NA | ND | ND | ND | ND | ND | ND | ND |

Contaminated Soil Sample Analytical Results

| Laboratory ID Number Sample ID Number Laboratory Report Date | Soil Cumene Contaminated | Soil Grab 55-Gallon Drum | Soil Grab Tank 61 | Soil Grab Tank 62 | Soil Grab Tank 64 | Soil Excavation Soil Piles | Soil Grab 20A | Soil Grab 20B |
|--|-----------------------------|-----------------------------|----------------------|----------------------|----------------------|-------------------------------|------------------|------------------|
| | | | | | | | | |
| | 55718 | 36538 | 91610 | 91611 | 91612 | 94943 | 95459 | 95460 |
| | 36287 | 34463 | 73977 | 73978 | 73979 | 78989 | 79728 | 79729 |
| | 12/08/92 | 12/16/92 | 02/24/94 | 02/24/94 | 02/24/94 | 04/20/94 | 04/29/94 | 04/29/94 |
| Component | | | | | | | | |
| F003 | | | | | | | | |
| Total Xylenes | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Acetone | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Ethyl Acetate | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Ethyl Benzene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Ether | • | NA | NA | NA | NA | NA | NA | NA |
| Total Methyl Isobutyl Ketone | NA | NA | NA | NA | NA | NA | NA | NA |
| Total n-Butyl Alcohol | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Cyclohexanone | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methanol | NA | NA | NA | NA | NA | NA | NA | NA |
| F004 | | | | | | | | |
| Total Cresols or Cresylic Acid | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Nitrobenzene | NA | NA | NA | NA | NA | NA | NA | NA |
| F005 | | | | | | | | |
| Total Toluene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methyl Ethyl Ketone | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Carbon Disulfides | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Isobutanol | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Pyridine | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 2-Ethoxyethanol | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Benzene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 2-Nitropropane | NA | NA | NA | NA | NA | NA | NA | NA |

0997-10913

Contaminated Soil Sample Analytical Results

| | Soil Grab 20C | Soil Grab 30A | Soil East Point Roll-off Box (Drums) | Soil TK 15 | Soil Soil Pile | Ameritech Cable Soil, Test Hole 8A | Ameritech Cable Soil, Test Hole 14 | Ameritech Cable Soil, Test Hole 10 |
|------------------------|------------------|------------------|---|---------------|-------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Laboratory ID Number | 95461 | 95638 | 99809 | 102677 | 104818 | 108519 | 108520 | 108521 |
| Sample ID Number | 79731 | 80186 | 85917 | 90006 | 92288 | 98274 | 98275 | 98276 |
| Laboratory Report Date | 04/29/94 | 05/03/94 | 06/30/94 | 08/10/94 | 08/31/94 | 10/24/94 | 10/24/94 | 10/24/94 |
| Component | | | | | | | | |
| Total Cyanide | NA | NA | NA | ND | ND | NA | NA | NA |
| Open Cup Flash Point | >180 F | >180 F | >180 F | >180 F | 172 F | NA | NA | NA |
| Paint Filter | NA | NA | NA | NA | Pass | NA | NA | NA |
| Reactive Cyanide | ND | ND | ND | NA | ND | NA | NA | NA |
| Reactive Sulfide | ND | ND | ND | 922 | 92.8 | NA | NA | NA |
| Total Phenolics | NA | NA | NA | NA | ND | NA | NA | NA |
| Total Solids | NA | NA | NA | NA | 78.9% | NA | NA | NA |
| pH | 6.87 | 6.6 | 8.3 | 10.1 | 8.75 | NA | NA | NA |
| Specific Gravity | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Arsenic | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Copper | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Mercury | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Selenium | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Silver | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Zinc | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Arsenic | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Barium | 0.83 | 0.12 | 0.48 | 1.2 | 0.59 | NA | NA | NA |
| TCLP Cadmium | ND | ND | ND | 0.04 | ND | NA | NA | NA |
| TCLP Chromium | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Copper | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Lead | ND | ND | ND | ND | 0.18 | NA | NA | NA |
| TCLP Mercury | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Nickel | NA | NA | NA | NA | NA | NA | NA | NA |
| TCLP Selenium | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Silver | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Zinc | NA | NA | NA | NA | NA | NA | NA | NA |

0997-10914

Contaminated Soil Sample Analytical Results

| | Soil Grab 20C | Soil Grab 30A | Soil, East Point Roll-off Box (Drums) | Soil TK 15 | Soil Soil File | Ameritech Cable Soil, Test Hole 8A | Ameritech Cable Soil, Test Hole 14 | Ameritech Cable Soil, Test Hole 10 |
|-------------------------------|------------------|------------------|--|---------------|-------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Laboratory ID Number | 95461 | 95638 | 99809 | 102677 | 104318 | 108519 | 108520 | 108521 |
| Sample ID Number | 79731 | 80186 | 85917 | 90006 | 92288 | 98274 | 98275 | 98276 |
| Laboratory Report Date | 04/29/94 | 05/03/94 | 06/30/94 | 08/10/94 | 08/31/94 | 10/24/94 | 10/24/94 | 10/24/94 |
| Component | | | | | | | | |
| Total Benzene | NA | NA | NA | NA | NA | ND | ND | 0.002 |
| Total Ethylbenzene | NA | NA | NA | NA | NA | ND | ND | 0.018 |
| Total Toluene | NA | NA | NA | NA | NA | ND | 0.016 | 0.005 |
| Total Xylene | NA | NA | NA | NA | NA | ND | 0.032 | 0.038 |
| Total BTEX | NA | NA | NA | NA | NA | ND | 0.048 | 0.063 |
| Total Cumene | NA | NA | NA | NA | NA | NA | NA | NA |
| | | | | | | | | |
| TCLP Benzene | ND | ND | ND | ND | 4 | NA | NA | NA |
| TCLP Carbon Tetrachloride | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Chlorobenzene | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Chloroform | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP o-Cresol | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP m-Cresol | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP p-Cresol | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Total Cresol | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP 1,4-Dichlorobenzene | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP 1,2-Dichloroethane | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP 1,1-Dichloroethene | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP 2,4-Dinitrotoluene | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Hexachlorobenzene | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Hexachloro-1,3-butadiene | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Hexachloroethane | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Methyl Ethyl Ketone | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Nitrobenzene | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Pentachlorophenol | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Pyridine | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Tetrachloroethylene | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Trichloroethylene | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP 2,4,5-Trichlorophenol | ND | ND | ND | ND | ND | NA | NA | NA |

0997-10915

Contaminated Soil Sample Analytical Results

| Laboratory ID Number Sample ID Number Laboratory Report Date | Soil Grab | | Soil Grab | | Soil, East Point Roll-off Box (Drums) | | Soil | | Soil | | Ameritech Cable Soil, Test Hole 8A | | Ameritech Cable Soil, Test Hole 14 | | Ameritech Cable Soil, Test Hole 10 | |
|--|-----------|-----|-----------|-------|--|--------|-------|--------|-------|--------|---------------------------------------|--------|---------------------------------------|-------|---------------------------------------|--------|
| | 20C | 30A | 95461 | 95638 | 99809 | 102677 | TK 15 | 104318 | 92288 | 108519 | 108520 | 108521 | 98275 | 98276 | 108524 | 108525 |
| Component | | | | | | | | | | | | | | | | |
| TCLP 2,4,6-Trichlorophenol | ND | ND | ND | ND | ND | ND | ND | ND | ND | NA | NA | NA | NA | NA | NA | NA |
| TCLP Vinyl Chloride | ND | ND | ND | ND | ND | ND | ND | ND | ND | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1221 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1232 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1016 (1242) | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1248 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1254 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB 1260 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total PCB | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| F001 | | | | | | | | | | | | | | | | |
| Total Tetrachloroethylene | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Trichloroethylene | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methylene Chloride | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,1-Trichloroethane | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Carbon Tetrachloride | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| F002 | | | | | | | | | | | | | | | | |
| Total Tetrachloroethylene | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methylene Chloride | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Trichloroethylene | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,1-Trichloroethane | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Chlorobenzene | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,2-Trichloro-1,2,2-Trifluoroethane | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Ortho-Dichlorobenzene | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Trichlorofluoromethane | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,2-Trichloroethane | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

0997-10916

Contaminated Soil Sample Analytical Results

| Laboratory ID Number Sample ID Number Laboratory Report Date | Soil Grab 20C | Soil Grab 30A | Soil, East Point Roll-off Box (Drums) | Soil TK 15 | Soil Soil Pile | Ameritech Cable Soil, Test Hole 8A | Ameritech Cable Soil, Test Hole 14 | Ameritech Cable Soil, Test Hole 10 |
|--|------------------|------------------|--|---------------|-------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| | | | | | | | | |
| | 95461 | 95638 | 99809 | 102677 | 104318 | 108519 | 108520 | 108521 |
| | 79731 | 80186 | 83917 | 90006 | 92288 | 98274 | 98275 | 98276 |
| | 04/29/94 | 05/03/94 | 06/30/94 | 08/10/94 | 08/31/94 | 10/24/94 | 10/24/94 | 10/24/94 |
| Component | | | | | | | | |
| F003 | | | | | | | | |
| Total Xylenes | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Acetone | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Ethyl Acetate | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Ethyl Benzene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Ether | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methyl Isobutyl Ketone | NA | NA | NA | NA | NA | NA | NA | NA |
| Total n-Butyl Alcohol | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Cyclohexanone | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methanol | NA | NA | NA | NA | NA | NA | NA | NA |
| F004 | | | | | | | | |
| Total Cresols or Cresylic Acid | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Nitrobenzene | NA | NA | NA | NA | NA | NA | NA | NA |
| F005 | | | | | | | | |
| Total Toluene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methyl Ethyl Ketone | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Carbon Disulfides | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Isobutanol | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Pyridine | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 2-Ethoxyethanol | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Benzene | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 2-Nitropropane | NA | NA | NA | NA | NA | NA | NA | NA |

0997-10917

Contaminated Soil Sample Analytical Results

| Laboratory ID Number Sample ID Number Laboratory Report Date | Soil | | Soil Petroleum Contaminated | Soil Grab Tank 65 - Dilke |
|--|------------------|----------|--------------------------------|------------------------------|
| | 127th Field File | 109553 | | |
| | | 99307 | 111631 | 115400 |
| | | 11/07/94 | 02348 | 06799 |
| | | | 12/01/94 | 01/23/95 |
| Component | | | | |
| Total Cyanide | | NA | NA | NA |
| Open Cup Flash Point | | NA | NA | NA |
| Paint Filter | | NA | NA | NA |
| Reactive Cyanide | | NA | NA | NA |
| Reactive Sulfide | | NA | NA | NA |
| Total Phenolics | | NA | NA | NA |
| Total Solids | | NA | NA | NA |
| pH | | NA | NA | NA |
| Specific Gravity | | NA | 1.23 | NA |
| | | | | |
| Total Arsenic | | NA | NA | NA |
| Total Copper | | NA | NA | NA |
| Total Mercury | | NA | NA | NA |
| Total Selenium | | NA | NA | NA |
| Total Silver | | NA | NA | NA |
| Total Zinc | | NA | NA | NA |
| | | | | |
| TCLP Arsenic | | ND | NA | ND |
| TCLP Barium | | 0.64 | NA | LI |
| TCLP Cadmium | | ND | NA | ND |
| TCLP Chromium | | ND | NA | ND |
| TCLP Copper | | NA | ND | NA |
| TCLP Lead | | ND | NA | ND |
| TCLP Mercury | | ND | NA | ND |
| TCLP Nickel | | NA | ND | NA |
| TCLP Selenium | | ND | NA | ND |
| TCLP Silver | | ND | NA | ND |
| TCLP Zinc | | NA | 0.5 | NA |

0997-10918

Contaminated Soil Sample Analytical Results

0997-10919

| Laboratory ID Number | Soil | | Soil | Soil Grab |
|-------------------------------|------------------|------------------------|----------|-----------|
| | 127th Field File | Petroleum Contaminated | | |
| Sample ID Number | 109553 | 111631 | 115400 | |
| Laboratory Report Date | 99307 | 02348 | 06799 | |
| | 11/07/94 | 12/01/94 | 01/23/95 | |
| Component | | | | |
| Total Benzene | NA | NA | NA | NA |
| Total Ethylbenzene | NA | NA | NA | NA |
| Total Toluene | NA | NA | NA | NA |
| Total Xylene | NA | NA | NA | NA |
| Total BTEX | NA | NA | NA | NA |
| Total Cumene | NA | NA | NA | NA |
| | | | | |
| TCLP Benzene | ND | NA | ND | ND |
| TCLP Carbon Tetrachloride | ND | NA | ND | ND |
| TCLP Chlorobenzene | ND | NA | ND | ND |
| TCLP Chloroform | ND | NA | ND | ND |
| TCLP o-Cresol | ND | NA | ND | ND |
| TCLP m-Cresol | ND | NA | ND | ND |
| TCLP p-Cresol | ND | NA | ND | ND |
| TCLP Total Cresol | ND | NA | ND | ND |
| TCLP 1,4-Dichlorobenzene | ND | NA | ND | ND |
| TCLP 1,2-Dichloroethane | ND | NA | ND | ND |
| TCLP 1,1-Dichloroethene | ND | NA | ND | ND |
| TCLP 2,4-Dinitrotoluene | ND | NA | ND | ND |
| TCLP Hexachlorobenzene | ND | NA | ND | ND |
| TCLP Hexachloro-1,3-butadiene | ND | NA | ND | ND |
| TCLP Hexachloroethane | ND | NA | ND | ND |
| TCLP Methyl Ethyl Ketone | ND | NA | ND | ND |
| TCLP Nitrobenzene | ND | NA | ND | ND |
| TCLP Pentachlorophenol | ND | NA | ND | ND |
| TCLP Pyridine | ND | NA | ND | ND |
| TCLP Tetrachloroethylene | ND | NA | ND | ND |
| TCLP Trichloroethylene | ND | NA | ND | ND |
| TCLP 2,4,5-Trichlorophenol | ND | NA | ND | ND |

Contaminated Soil Sample Analytical Results

| | Laboratory ID Number | Soil Grab 20C | Soil Grab 30A | Soil, East Point Roll-off Box (Drums) | Soil TK 15 | Soil Soil File | Ameritech Cable Soil, Test Hole 8A | Ameritech Cable Soil, Test Hole 14 | Ameritech Cable Soil, Test Hole 10 |
|---|------------------------|------------------|------------------|--|---------------|-------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| | Sample ID Number | 95461 | 95638 | 99809 | 107677 | 104318 | 108519 | 108520 | 108521 |
| | Laboratory Report Date | 04/29/94 | 05/03/94 | 06/30/94 | 08/10/94 | 08/31/94 | 10/24/94 | 10/24/94 | 10/24/94 |
| Component | | | | | | | | | |
| TCLP 2,4,6-Trichlorophenol | ND | ND | ND | ND | ND | ND | NA | NA | NA |
| TCLP Vinyl Chloride | ND | ND | ND | ND | ND | ND | NA | NA | NA |
| Total PCB 1221 | NA | NA | NA | NA | NA | ND | NA | NA | NA |
| Total PCB 1232 | NA | NA | NA | NA | NA | ND | NA | NA | NA |
| Total PCB 1016 (1242) | NA | NA | NA | NA | NA | ND | NA | NA | NA |
| Total PCB 1248 | NA | NA | NA | NA | NA | ND | NA | NA | NA |
| Total PCB 1254 | NA | NA | NA | NA | NA | ND | NA | NA | NA |
| Total PCB 1260 | NA | NA | NA | NA | NA | ND | NA | NA | NA |
| Total PCB | NA | NA | NA | NA | NA | ND | NA | NA | NA |
| F001 | | | | | | | | | |
| Total Tetrachloroethylene | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Trichloroethylene | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methylene Chloride | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,1-Trichloroethane | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Carbon Tetrachloride | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| F002 | | | | | | | | | |
| Total Tetrachloroethylene | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Methylene Chloride | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Trichloroethylene | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,1-Trichloroethane | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Chlorobenzene | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,1,2-Trichloro-1,2,2-Trifluoroethane | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Ortho-Dichlorobenzene | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total Trichlorofluoromethane | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Total 1,1,1,2-Trichloroethane | NA | NA | NA | NA | NA | NA | NA | NA | NA |

0997-10920

Contaminated Soil Sample Analytical Results

| Laboratory ID Number | Soil | Soil | Soil Grab |
|--------------------------------|------------------|------------------------|----------------|
| | 127th Field Pile | Petroleum Contaminated | Tank 65 - Dike |
| | | | |
| Sample ID Number | 109553 | 111631 | 115400 |
| Laboratory Report Date | 99307 | 02348 | 06799 |
| | 11/07/94 | 12/01/94 | 01/23/95 |
| Component | | | |
| F003 | | | |
| Total Xylenes | NA | ND | NA |
| Total Acetone | NA | ND | NA |
| Total Ethyl Acetate | NA | ND | NA |
| Total Ethyl Benzene | NA | ND | NA |
| Total Ether | NA | ND | NA |
| Total Methyl Isobutyl Ketone | NA | ND | NA |
| Total n-Butyl Alcohol | NA | ND | NA |
| Total Cyclohexanone | NA | ND | NA |
| Total Methanol | NA | ND | NA |
| F004 | | | |
| Total Cresols or Cresylic Acid | NA | | NA |
| Total Nitrobenzene | NA | ND | NA |
| F005 | | | |
| Total Toluene | NA | ND | NA |
| Total Methyl Ethyl Ketone | NA | ND | NA |
| Total Carbon Disulfides | NA | ND | NA |
| Total Isobutanol | NA | ND | NA |
| Total Pyridine | NA | ND | NA |
| Total 2-Ethoxyethanol | NA | ND | NA |
| Total Benzene | NA | ND | NA |
| Total 2-Nitropropane | NA | ND | NA |

0997-10921

Calumet Sag Channel Sample Analytical Results

Summary

Samples may be collected from a variety of sources, and for a variety of reasons at the Cal Sag Channel. Materials which may be sampled include Channel water, sediment, or dredged material. Existing sampling documentation reveals that two samples were collected from the Calumet Sag Channel. A Channel dock pipe chase sample was analyzed for purgeable organics, while a Channel water intake sample was analyzed for various hazardous characteristics and TCLP constituents.

The Channel dock pipe chase sample revealed detectable concentrations of benzene, toluene, ethylbenzene, xylenes, and cumenes. The Channel water intake sample contained reactive sulfides at a concentration of 114 parts per million, with all other RCRA characteristics within acceptable limits. The Channel water intake sample also revealed detectable concentrations of TCLP barium.

Characterization Guidelines

Previous sampling documentation does not provide adequate characterization of the Calumet Sag Channel media. Analyses selected for Calumet Sag Channel samples should be dependant on the contaminants of concern in a particular media and the purpose of the sampling. The event which created the need for sampling event (e.g., release) should be used as a basis for sampling protocol. Samples collected during investigations in the channel should be analyzed for total inorganics, purgeable organics, base/neutral extractables, acid extractables, and potentially polychlorinated biphenyls. Waste characterization samples should be analyzed for RCRA characteristics and TCLP contaminants.

Calumet Sag Channel Sample Analytical Results

| Laboratory RD Number | | Canal Dock Pipe Chase | Canal Water Intake |
|--------------------------------|--|-----------------------|--------------------|
| Sample ID Number | | 52786 | 99843 |
| Laboratory Report Date | | 11/13/92 | 07/05/94 |
| Component | | | |
| Total Cyanide | | NA | ND |
| Open Cup Flash Point | | NA | >180 F |
| Reactive Sulfide | | NA | 114 |
| pH | | NA | 7.4 |
| Total Phenolics | | NA | ND |
| Percent Solids | | NA | 36.9% |
| TCLP Arsenic | | NA | ND |
| TCLP Barium | | NA | 0.320 |
| TCLP Cadmium | | NA | ND |
| TCLP Chromium | | NA | ND |
| TCLP Lead | | NA | ND |
| TCLP Mercury | | NA | ND |
| TCLP Selenium | | NA | ND |
| TCLP Silver | | NA | ND |
| Total Chloromethane | | ND | NA |
| Total Bromomethane | | ND | NA |
| Total Vinyl Chloride | | ND | NA |
| Total Chloroethane | | ND | NA |
| Total Dichloroethane | | ND | NA |
| Total Acrolein | | ND | NA |
| Total Acrylonitrile | | ND | NA |
| Total Trichlorofluoromethane | | ND | NA |
| Total 1,1,1-Dichloroethene | | ND | NA |
| Total 1,1,1-Dichloroethane | | ND | NA |
| Total Trans-1,2-Dichloroethene | | ND | NA |
| Total Chloroform | | ND | NA |
| Total 1,2-Dichloroethane | | ND | NA |
| Total 1,1,1-Trichloroethane | | ND | NA |

0997-10923

Calumet Sag Channel Sample Analytical Results

| Component | Laboratory RD Number | Canal Dock Pipe Chase | Canal Water Intake |
|---------------------------------|------------------------|-----------------------|--------------------|
| | Sample ID Number | | |
| | Laboratory Report Date | | |
| Total Carbon Tetrachlorid | | 52786 | 99843 |
| Total Bromodichloromethane | | 34465 | 86258 |
| Total 1,2-Dichloropropane | | 11/13/92 | 07/05/94 |
| Total Cis-1,3-Dichloropropene | | | |
| Total Trichloroethene | | | |
| Total Benzene | | 0.054 | NA |
| Total Dibromochloromethane | | ND | NA |
| Total Trans-1,3-Dichloropropene | | ND | NA |
| Total 1,1,2-Trichloroethane | | ND | NA |
| Total 2-Chloroethyl vinyl ether | | ND | NA |
| Total Bromoform | | ND | NA |
| Total Tetrachloroethene | | ND | NA |
| Total 1,1,2,2-Tetrachloroethane | | ND | NA |
| Total Toluene | | 5,240 | NA |
| Total Chlorobenzene | | ND | NA |
| Total Ethylbenzene | | 1,720 | NA |
| Total Xylenes | | 9,640 | NA |
| Total Cumenes | | 4,600 | NA |
| Total Acetone | | ND | NA |
| Total Carbon Disulfide | | ND | NA |
| Total Vinyl Acetate | | ND | NA |
| Total Methyl Ethyl Ketone | | ND | NA |
| Total Methyl Isobutyl Ketone | | ND | NA |
| Total 2-Hexanone | | ND | NA |
| Total Styrene | | ND | NA |
| | | | |
| TCLP Benzene | | NA | ND |
| TCLP Carbon Tetrachloride | | NA | ND |
| TCLP Chlorobenzene | | NA | ND |
| TCLP Chloroform | | NA | ND |

0997-10924

Calumet Sag Channel Sample Analytical Results

| Component | Laboratory RD Number | | Canal Dock Pipe Chase | Canal Water Intake |
|-------------------------------|------------------------|----------|-----------------------|--------------------|
| | Sample ID Number | | | |
| | Laboratory Report Date | | | |
| | | | | |
| TCLP o-Cresol | | 52786 | 99843 | |
| TCLP m-Cresol | | 34465 | 86258 | |
| TCLP p-Cresol | | 11/13/92 | 07/05/94 | |
| TCLP Total Cresol | | NA | ND | |
| TCLP 1,4-Dichlorobenzene | | NA | ND | |
| TCLP 1,2-Dichloroethane | | NA | ND | |
| TCLP 1,1-Dichloroethane | | NA | ND | |
| TCLP 2,4-Dinitrotoluene | | NA | ND | |
| TCLP Hexachlorobenzene | | NA | ND | |
| TCLP Hexachloro-1,3-but diene | | NA | ND | |
| TCLP Hexachloroethane | | NA | ND | |
| TCLP Methyl Ethyl Ketone | | NA | ND | |
| TCLP Nitrobenzene | | NA | ND | |
| TCLP Pentachlorophenol | | NA | ND | |
| TCLP Pyridine | | NA | ND | |
| TCLP Tetrachloroethylene | | NA | ND | |
| TCLP Trichloroethylene | | NA | ND | |
| TCLP 2,4,5-Trichlorophenol | | NA | ND | |
| TCLP 2,4,6-Trichlorophenol | | NA | ND | |
| TCLP Vinyl Chloride | | NA | ND | |

0997-10925

Canal Barrel Room Sample Analytical Results

Summary

Previous sampling events at the Canal Barrel Room have been conducted to document analytical results from samples collected from drums stored in the room. Past samples have been analyzed for polychlorinated biphenyls (PCBs). Nine of the ten drums sampled revealed non-detectable concentrations of PCBs; however, the tenth drum revealed PCB concentrations in excess of 10,000 parts per million.

Characterization Guidelines

Samples collected from drums stored in the Canal Barrel Room will vary based on what materials are suspected to be present. Existing data from this area is for testing of drums suspected of containing oil with PCBs. Waste characterization goals for materials tested in the Room should be based on suspected contents. Generally, the TCLP should be used to characterize unidentified wastes.

Canal Barrel Roan Drum Sample Analytical Results

| Laboratory ID Number Sample ID Number Laboratory Report Date | Drum Grabs Waste, Drum A | Drum Grabs Waste, Drum E | Drum Grabs Waste, Drum G | Drum Grabs Waste, Drum J | Drum Grabs Waste, Drum F | Drum Grabs Waste, Drum B | Drum Grabs Waste, Drum H |
|--|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| | 108985 98587 10/31/94 | 108986 98589 10/31/94 | 108987 98591 10/31/94 | 108988 98593 10/31/94 | 109311 98590 10/31/94 | 109338 98588 11/03/94 | 109339 98582 11/03/94 |
| Component | | | | | | | |
| Total PCB 1221 | ND | ND | ND | ND | ND | ND | ND |
| Total PCB 1232 | ND | ND | ND | ND | ND | ND | ND |
| Total PCB 1016 (1242) | ND | ND | ND | ND | ND | ND | ND |
| Total PCB 1248 | ND | ND | ND | ND | ND | ND | ND |
| Total PCB 1254 | ND | ND | ND | ND | ND | ND | ND |
| Total PCB 1260 | ND | ND | ND | ND | 10,709,500 | ND | ND |
| Total PCB | ND | ND | ND | ND | 10,709,500 | ND | ND |

0997-10927

Canal Barrel Roan Drum Sample

| | Canal Barrel Room Oil Drum I | Canal Barrel Room Oil Drum D | Canal Barrel Room Oil Drum C |
|------------------------|---------------------------------|---------------------------------|---------------------------------|
| Laboratory ID Number | 111189 | 111190 | 111191 |
| Sample ID Number | 01284 | 01286 | 01285 |
| Laboratory Report Date | 11/29/94 | 11/29/94 | 11/29/94 |
| Component | | | |
| Total PCB 1221 | ND | ND | ND |
| Total PCB 1232 | ND | ND | ND |
| Total PCB 1016 (1242) | ND | ND | ND |
| Total PCB 1248 | ND | ND | ND |
| Total PCB 1254 | ND | ND | ND |
| Total PCB 1260 | ND | ND | ND |
| Total PCB | ND | ND | ND |

0997-10928

MAYER, BROWN & PLATT

190 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60603-3441

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MAIN TELEPHONE
312-782-0600
MAIN FAX
312-701-7711

August 25, 1997

Allen T. Wojtas
United States Environmental Protection Agency
Region 5
Enforcement and Compliance Assurance Branch (DRE-8J)
77 West Jackson Boulevard
Chicago, IL 60604

Re: RCRA Section 3007 Information Request
Clark Refining and Marketing, Inc.
EPA 1D No. ILD 005 109 822

Dear Mr. Wojtas:

Enclosed please find Clark Refining & Marketing, Inc.'s first response to the above information request.

Very truly yours,



Russell R. Eggert

6220790.1 82597 1018C 95228409

CHICAGO BERLIN BRUSSELS HOUSTON LONDON LOS ANGELES NEW YORK WASHINGTON
INDEPENDENT MEXICO CITY CORRESPONDENT: JAUREGUI, NAVARRETE, NADER Y ROJAS
INDEPENDENT PARIS CORRESPONDENT: LAMBERT ARMENIADES

MAYER, BROWN & PLATT

Allen T. Wojtas

US EPA

August 25, 1997

Page 2

bcc: Richard Keffer (w/encl.)
Bill Irwin (w/encl.)
John C. Berghoff, Jr. (wo/encl.)
Tom Kuslik (wo/encl.)

CLARK REFINING & MARKETING, INC.'S FIRST SET OF OBJECTIONS
AND RESPONSES TO RCRA SECTION 3007 INFORMATION
REQUEST OF JULY 30, 1997

Clark Refining and Marketing, Inc. ("Clark"), pursuant to the schedule and priorities established by Associate Regional Counsel Rodger Field on August 11, 1997, objects and responds to the information request under Section 3007 of the Resource Conservation and Recovery Act received on July 30, 1997 as follows:

General Objections

1. Clark objects to the information requests to the extent that they seek material beyond the scope of EPA's authority under RCRA.
2. Clark objects to the information requests on the ground that they are repetitive, duplicative, and unreasonably burdensome.
3. Clark objects to the information requests to the extent that they seek information protected by the attorney-client privilege or the attorney work product doctrine.

Responses

Subject to and without waiving the foregoing objections, Clark states:

Request

- 2) Clark has indicated that the spent caustic placed in Tanks 28 and 29 are not hazardous waste because the material is shipped to International Paper, Merichem, and GATX Terminal as a product.
 - a) Provide any documentation relating to shipments of spent caustic from Tanks 28 and 29 as a product since January, 1993, including, but not limited to contracts, bills of sale, invoices, shipping documents, and other similar documents.
 - b) Provide any MSDSs or other documentation corresponding to shipments of spent caustic since January 1993.

- c) Provide any available sampling and analytical information corresponding to the spent caustic.
- d) Residues were observed beneath the valves and inside the dikes of Tanks 28 and 29 at the refinery. What are the residues? Is the residue removed periodically? If so, how is the material managed? If the material is disposed, provide any sampling, analytical, and shipping documentation.
- e) Based on analytical results from samples collected to determine compliance with the Clean Air Act requirement, the spent caustic contains benzene. Does the spent caustic have to be processed to remove benzene and oil prior to its use as an ingredient in another industrial process? If so, who processes the spent caustic, and what is the disposition of the materials removed from the spent caustic?
- f) Provide any documentation related to your answer to this question.

Response

2. a)b)c)f) -- see attached.

- d) Clark objects to this question as vague, imprecise and impossible to answer as posed. Subject to and without waiving this objection or the general objections, and assuming the reference to be to the materials sampled by EPA's contractor, analytical results are attached as Attachment 2(d).
- e) Clark objects to this question as vague and because it misstates the facts. Subject to and without waiving these objections or the general objections, the spent caustic does not have to be processed to remove benzene and oil prior to its use as an ingredient in another industrial process. Two types of caustic are shipped, sulfidic caustic and cresylate caustic. On information and belief, based upon information from Mericham, for the sulfidic caustic, if the sulfide content is less than 5% it is used, without treatment, to neutralize cresylate acid at the Merichem

facility in Houston. If sulfide content is 5% or greater, it is used as a raw material, without treatment, in the pulp digester of a paper mill.

Cresylate caustic is shipped to Merichem for cresylic acid extraction. On information and belief, Merichem pH adjusts the product with CO₂, freeing the cresylic acid and forming sodium carbonate. The cresylic acid is sold as a product by Merichem. The sodium carbonate is shipped as a product to paper mills. To Clark's knowledge there is no processing, at any stage, to remove benzene or oil in the spent caustics or derivatives.

Answering further, and assuming that the reference in the first sentence is to samples collected and analyzed in September, 1995, Clark does not believe that those data show that the caustic contained benzene because the environmental medium of the sample analyzed by the laboratory was different from that sampled at the refinery, and the reported data are therefore not valid or reliable.

Request

- 3) Clark representatives told the NEIC inspectors that material from clean out of the 59 sump is combined with other materials, such as materials from the overflow pit, and shipped off site for disposal using a manifest. The waste codes assigned to the shipment typically include D018, K049, K050, K051, F037, and F038.
 - a) When the 59 sump is cleaned out, and before the material is combined with other materials, how is the waste from the sump managed?
 - b) Is the material from the sump a listed waste, and does the material exhibit hazardous waste characteristics?
 - c) Provide any sampling and analytical information related to the material from the sump.
 - d) Provide all documentation related to your answer to these questions.

Response

3. Clark objects to this question on the ground that it misstates the facts. Subject to and without waiving this objection or the general objections, Clark states as follows:
- a) Liquids from 59 sump are pumped to tanks 63 and 65 for processing through the crude unit. Solids are vacuumed out, centrifuged, placed into an appropriate container and delivered to a licensed hauler for off-site disposal at a permitted facility.
 - b) The liquids from 59 sump are not a waste. Solids are listed hazardous wastes. Clark has not (and is not required to) analyzed the solids to determine if they also exhibit hazardous waste characteristics.
 - c) None.
 - d) See attachment 3(d).

Request

- 9) According to Clark's June 27, 1997 response to the May 29, 1997 Clean Air Act information request, Clark has received wastewater shipments from off-site facilities on the following dates: May 24, 1995, October 5, 1995, March 7, 1996, March 11, 1996, and April 3, 1997.
- a) Who discovered the water in the tanks(s) owned or operated by Martin Oil, and on what date? Indicate the location, designation (number or name), and capacity of each affected tank. Were any samples collected of the contents of the tank(s)? If so, who collected the samples(s), how many were collected, what were the results of the analysis?
 - b) Who at Martin had conversations with Clark employees regarding the water in the tanks and the transportation of the water/gasoline? Are there any conversation records? Who contacted the vacuum truck and/or other transportation company or companies?

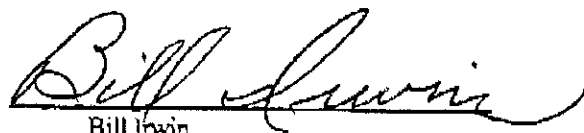
- c) Provide a description of the transportation route, and copies of any manifests, bills of lading, weigh tickets, or other documentation associated with the vacuum truck shipments or other transportation of water/gasoline from the Martin Oil facility to Clark.
- d) After the scheduled vacuum truck shipments of water/gasoline were canceled on or about April 3, 1997, what was done with the water/gasoline remaining in the tank(s)? Provide any documentation of the management of the material.
- e) Provide all documentation related to your answers to these questions.

Response

- 9) Clark objects to this question because it misstates the facts and mischaracterizes the materials in question. Subject to and without waiving this objection, Clark states:
 - a) Unknown; unknown; unknown.
 - b) Mike McConnell; none identified at this time; Clark made the contacts.
 - c) See documents produced in Clark's June 27, 1997 response to the May 29, 1997 request, control numbers 0697-00089 to 0697-00093, which are hereby incorporated by reference.
 - d) Clark is informed by Martin and believes that the material is in a tank or tanks at the Martin facility.
 - e) See above.
- 11) Provide the following notarized certification by a responsible company officer:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in responding to this information request for the

production of documents. Based on my review of all relevant documents and inquiry of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A handwritten signature in cursive script, reading "Bill Irwin". The signature is written in dark ink and is positioned above a horizontal line.

Bill Irwin
Interim Environmental Manager

ATTACHMENT 2

0897-03437

Menichen / Spent Caustic - Response to a-f

0897-03438



ENVIRONMENTAL MONITORING AND TECHNOLOGIES, INC.

8100 North Austin Avenue
Morton Grove, Illinois 60053-3203
847-967-6666
FAX: 847-967-6735

LABORATORY REPORT

168296

Clark Refining & Marketing, Inc.
131st & Kedzie Avenue
Blue Island, IL 60406

Report Date: 8/14/97
Sample Received: 7/29/97

Sample Description: T-29-B1
Sample No.: 18113

| Compound Purgeables | Concentration Found In | | Reporting Limit ug/L (ppb) | Quantitation Limit ug/L (ppb) |
|-------------------------------|---------------------------|----------------|----------------------------------|-------------------------------------|
| | Sample (ppb) | Blank (ppb) | | |
| 1. Chloromethane | <1.0 | <1.0 | 1.0 | 10 |
| 2. Bromomethane | <0.7 | <0.7 | 0.7 | 10 |
| 3. Vinyl chloride | <0.5 | <0.5 | 0.5 | 5 |
| 4. Chloroethane | <0.7 | <0.7 | 0.7 | 10 |
| 5. Dichloromethane | <0.8 | <0.8 | 0.8 | 5 |
| 6. Acrolein | <15.0 | <15.0 | 15.0 | 50 |
| 7. Acrylonitrile | <5.0 | <5.0 | 5.0 | 50 |
| 8. Trichlorofluoromethane | <0.5 | <0.5 | 0.5 | 5 |
| 9. 1,1-Dichloroethene | <0.5 | <0.5 | 0.5 | 5 |
| 10. 1,1-Dichloroethane | <0.5 | <0.5 | 0.5 | 5 |
| 11. trans-1,2-Dichloroethene | <0.5 | <0.5 | 0.5 | 5 |
| 12. Chloroform | <0.5 | <0.5 | 0.5 | 5 |
| 13. 1,2-Dichloroethane | <1.6 | <1.6 | 1.6 | 5 |
| 14. 1,1,1-Trichloroethane | <0.5 | <0.5 | 0.5 | 5 |
| 15. Carbon tetrachloride | <0.6 | <0.6 | 0.6 | 5 |
| 16. Bromodichloromethane | <0.6 | <0.6 | 0.6 | 5 |
| 17. 1,2-Dichloropropane | <0.5 | <0.5 | 0.5 | 5 |
| 18. cis-1,3-Dichloropropene | <0.5 | <0.5 | 0.5 | 5 |
| 19. Trichloroethene | <0.5 | <0.5 | 0.5 | 5 |
| 20. Benzene | <0.5 | <0.5 | 0.5 | 5 |
| 21. Dibromochloromethane | <0.5 | <0.5 | 0.5 | 5 |
| 22. Trans-1,3-Dichloropropene | <0.9 | <0.9 | 0.9 | 5 |

Leah E. Zuber

0897-03439

LABORATORY DIRECTOR



ENVIRONMENTAL MONITORING AND TECHNOLOGIES, INC.

8100 North Austin Avenue
Morton Grove, Illinois 60053-3203
847-967-6666
FAX: 847-967-6735

LABORATORY REPORT

168296

Clark Refining & Marketing, Inc.
131st & Kedzie Avenue
Blue Island, IL 60406

Report Date: 8/14/97
Sample Received: 7/29/97

Sample Description: T-29-B1
Sample No.: 18113

| Compound <u>Purgeables</u> | Concentration Found In | | Reporting Limit ug/L (ppb) | Quantitation Limit ug/L (ppb) |
|-------------------------------|---------------------------|-----------------------|----------------------------------|-------------------------------------|
| | <u>Sample</u> (ppb) | <u>Blank</u> (ppb) | | |
| 23. 1,1,2-Trichloroethane | <0.5 | <0.5 | 0.5 | 5 |
| 24. 2-Chloroethyl vinyl ether | <2.0 | <2.0 | 2.0 | 5 |
| 25. Bromoform | <4.0 | <4.0 | 4.0 | 5 |
| 26. Tetrachloroethene | <0.5 | <0.5 | 0.5 | 5 |
| 27. 1,1,2,2-Tetrachloroethane | <3.9 | <3.9 | 3.9 | 5 |
| 28. Toluene | <0.5 | <0.5 | 0.5 | 5 |
| 29. Chlorobenzene | <0.5 | <0.5 | 0.5 | 5 |
| 30. Ethylbenzene | <0.5 | <0.5 | 0.5 | 5 |

0897-03440

All results expressed as ppb unless otherwise indicated.

Analyses performed using EPA approved Method No. 624 in accordance with 40 CFR 136.

The contents of this report apply to the sample analyzed. No duplication of this report is allowed except its entirety.

LABORATORY DIRECTOR

DLPC COMPLAINT INVESTIGATION FORM

RR

0310240005

IEPA ID #

County

Clark Oil Refining Co

Site Name

FLD005109822

Complaint #: C94-155N

USEPA ID #

FOS

1/5/94

Date Recvd: 1/10/94

By: C94

By Phone: _____

In Person: _____

By Mail: ☒

Complainant: CODEC & Tom Brown, USEPA

Respondent: Clark Oil - Ron Snook

Address: _____

Address: 13100 S Kedzie Ave

Blue Island, IL 60406

Telephone: CODEC 708/565-6165

Telephone: 708/385-5000 X 223

Directions to Source: _____

Complaint Details: Soil Contamination and oil spillage. See attached

RECEIVED

MAR 07 1994

INVESTIGATION FINDINGS

IEPA-DLPC

Date Invest: 2-28-94

Time From: 2:30 To: 3:15

Reich

Inspector

Y

Photos

Interviewed: Ron Snook, Stafford Jacques Weather: 25°, overcast

Remarks: Looked at three leading areas. No evidence of oil spillage. All three areas are curbed & drained to facility wastewater treatment system.

Workers working on steam line complained of dizziness. Could be due to benzene vapors, but not confirmed by medical tests. Meters detected some VOAs (low levels), but facility plans on probing the area when weather clears. No immediate evidence of benzene release according to Mr. Snook. He will send me a copy of test results when available. No violations cited. Clark oil incident report attached.

Complainant Notified of Findings? Yes: ☒ No: _____

RECEIVED

Findings Entered into Computer: ☒

CC: Northern Region File

APR 07 1994

Complaint File

IEPA-DLPC

7-18-94

RCRA INSPECTION REPORT

A# L 0005109822 IEPA #: 0310240005
V Name: Clark Oil & Refining Co. Phone #: 708/385-5000
Address: 13100 S. Kedzie Ave. County: Cook
Blue Island State: IL Zip: 60406
City: Maywood Inspection Date: 2/28/94 From: 2:30 To: 3:15
W: 25°, overcast

TYPE OF FACILITY

Q Ab: G, T, S, D Regulated As: G, (T), (S), (D)
LOF? N HPV? N 90-Day F/U Required? YES NO X

TYPE OF INSPECTION

Sampling: Citizen Complaint: X Closed: Other:
E.M.: Record Review: Follow-Up to inspection of: Withdrawal: X

NON-REGULATED STATUS N/A

Claimed Nonhandler: Other (Specify in Narrative):

PART A

Notification Date: 8/12/80 from (Initial) or (subsequent) Notification.

Part A Date: 11/1/80 Amended: 1/1/81
A Withdrawal requested: 2/18/80 Approved by (US)(IL) EPA:

PART B PERMIT APPLICATION

Permit Submitted: Y or N 5/6/88 Final Permit Issued:

ENFORCEMENT N/A

Is firm been referred to - USEPA: Y or N
Attorney General: Y or N County State's Attorney: Y or N

ORDERS ISSUED N/A

CC: CAFO: Consent Decree:
U Court Order: State Court Order: IPCB Order:

TSD FACILITY ACTIVITY SUMMARY

| Activity by Process Code | On Part A? | Activity Conducted Prior to 1987 | | Waste Activity Ever Done? | Closed | Being done at Time of Insp.? | Exempt per 25 IAC. Sec. | On Annual Report | | |
|-----------------------------|------------|-------------------------------------|---|------------------------------|--------|---------------------------------|----------------------------|------------------|----|----|
| | | | | | | | | 19 | 19 | 19 |
| 01 | Y | Unknown | Y | Y | N | | N/A | N/A | → | |
| 02 | | | | N/A | | | | N/A | → | |
| 01 | | | | | | | | N/A | → | |
| 01 | | | | | | | | N/A | → | |

RECEIVED

APR 07 1994

IEPA-DLPC

0310240005/Cook County
Clark Oil & Refining
ILD005109822

NARRATIVE

On April 13, 1994, I conducted an inspection at the above referenced facility in response to a citizen's complaint that a red "tank truck" had emptied its contents on the ground on or near Clark Oil property in Blue Island.

Upon arrival at the site, I met and interviewed the complainant, who lead me to the area where the alleged dumping had occurred. During the inspection, I observed several areas which contained a black tarry material, and an area approximately 6ft by 15ft which contained a black charcoal like material. I then went to the Clark Oil Refinery where I met Mr. Ron Snook, the Environmental Manger for Clark Oil. Mr Snook then accompanied me back to the area where the alleged dumping occurred. Mr. Snook stated that this was an area that Clark uses for the accumulation of wastes such as material form the repair of roads on Clark Oil property and the waste non-hazardous catalyst from the cleaning of some of its process tanks. This catalytic material consists of sand, clay, sulfur and oil. Mr. Snook stated that a red vacuum truck sucks this material from the process tanks and brings the material to this area and empties it on the ground. When enough of it is accumulated to make an economical shipment, a front end loader scoops up the material and places it in a roll off box for transport to the disposal facility. We then went back to Mr. Snook's office where he gave me copies of manifests for the waste catalyst. It is shipped off-site as special waste for disposal at CID landfill. The last manifested shipment was dated 12/02/93.

APPARENT VIOLATIONS

- LINE 1 Causing or allowing litter 21(p)(1) of the Act.
- LINE 11 Causing or allowing the development and/or
operation of a solid waste management site without
an Agency Permit 807.201 and 807.202 of the
Regulation

0310240005/Cook County
Clark Oil & Refining
ILD005109822

LINE 12 Causing or allowing the open dumping of any waste
21(a) of the Act.

LINE 13 Conducting a waste-disposal, waste-treatment, or
waste-storage operation without an agency permit.

7 2 0 0 1 0 0 0 0 0 0

0310240005/Cook County
Clark Oil & Refinery
June 6, 1994

NARRATIVE

On June 6, 1994, a follow-up inspection was conducted at the above referenced facility to determine if the violations cited during the April 13, 1994 inspection had been resolved and to find out Clark's reason for refusing to accept the PECL dated May 20, 1994.

Upon arrival at the facility, I met and interviewed Mr. Robert Llanes, of Clark's environmental staff. During the interview Mr. Llanes stated that the clean up of the catalyst had been accomplished by scraping up the first few inches of soil and placing it in a roll off box until the soil analysis results were done. When the results came back the soil was taken to CID landfill for disposal. Llanes stated that PECL was inadvertently refused due to a mix-up. The front gate guards who are responsible for accepting the mail thought that the certified letter had postage due on it and so they refused to accept it. The front gate personnel have now been given strict instructions not to refuse any mail that comes.

During the inspection, I observed that all of the material that had been dumped was removed. Llanes provided copies of the manifest and waste analysis (see attachments).

APPARENT VIOLATIONS

At the time of inspection, no apparent violations were observed and the facility may be returned to compliance.

RECEIVED

JUL 14 1994

IEPA-DLPC

g
JUL 25 1997

DRE-8J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clark Refining and Marketing, Inc.
131st and Kedzie Avenue
Blue Island, Illinois 60406

Re: Section 3007 Information Request
Clark Refining and
Marketing, Inc.
Blue Island, Illinois
EPA ID No.: ILD 005 109 822

Dear Sir or Madam:

This is a request for information by the United States Environmental Protection Agency (U.S. EPA) pursuant to its authority under Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. §6927. The information requested relates to your company's management of solid and/or hazardous waste, including, but not limited to water draws (gasoline contaminated with water) received from Martin Oil Service in Blue Island, Illinois.

The information requested herein must be provided to this office within twenty-one (21) calendar days of receipt of this letter notwithstanding its possible characterization as confidential information. You may, pursuant to 40 CFR 2.203(a), assert a business confidentiality claim covering all or part of the information in the manner described in 40 CFR 2.203(b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent and by means of the procedures set forth in 40 CFR Part 2, Subpart B. Any requests for confidentiality must be made when the information is submitted, since any information not so identified may be made available to the public without further notice.

The written statements submitted pursuant to this request must be notarized and submitted under an authorized signature certifying that all statements contained therein are true and accurate to

the best of the signatory's knowledge and belief. Any documents submitted to U.S. EPA Region 5 pursuant to this information request should be certified as true and authentic to the best of the signatory's knowledge or belief.

Should the signatory find, at any time after the submittal of the requested information, that any portion of the submitted information is false, misleading, or incomplete, the signatory should so notify Region 5. If any answer certified as true should be found to be untrue or misleading, the signatory can and may be prosecuted pursuant to 18 U.S.C. §1001. U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

If you have any questions regarding this matter, please contact Allen T. Wojtas, Enforcement and Compliance Assurance Branch, at (312) 886-6194. Your response should be sent to U.S. EPA, Region 5, Enforcement and Compliance Assurance Branch (DRE-8J), 77 West Jackson Boulevard, Chicago, Illinois 60604, Attention: Allen T. Wojtas.

Sincerely yours,

Lorna M. Jereza, Chief
Illinois/Indiana Section
Enforcement and Compliance Assurance Branch

Enclosure

cc: William Child, IEPA

bcc: Branch File
Section File

DRE-8J/AW:be/7-25-97/6-6194/filename:a:clark.307

bcc: Branch File
Section File

DRE-8J/AW:be/7-25-97/6-6194/filename:a:clark.307

ENFORCEMENT AND COMPLIANCE ASSURANCE BRANCH

| SECRETAR Y | SECRETARY | SECRETARY | SECRETARY | SECRETARY | SECRETAR Y |
|------------------------|-------------------------------|--|--|-------------------------|------------------------------|
| <i>10/25/97</i> | | | | | |
| AUTHOR/ TYPIST | MINN/OHIO SECTION CHIEF | MICHIGAN/ WISCONSIN SECTION CHIEF | ILLINOIS/ INDIANA SECTION CHIEF | ECAB BRANCH CHIEF | WPTD DIVISION DIRECTOR |
| <i>ATW 7/25/97</i> | | | <i>WJ 7/25/97</i> | | |

*R/S, ORC
7/25/97*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

| | | |
|-----------------------------|---|---------------------------------|
| CLARK MARKETING AND |) | Information Request Pursuant |
| REFINING, INC. |) | to Section 3007 of the Resource |
| 131ST & KEDZIE AVENUE |) | Conservation and Recovery Act, |
| BLUE ISLAND, ILLINOIS 60406 |) | as amended, 42 U.S.C. §6927. |
| |) | |

This is a request by the United States Environmental Protection Agency (U.S. EPA) issued pursuant to Section 3007 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. §6927. The issuance of this request serves to require Clark Refining and Marketing, Inc. to submit information relating to its management of solid and/or hazardous wastes including, but not limited to water draws (gasoline contaminated with water) received from Martin Oil Service, located in Blue Island, Illinois.

On January 30, 1986, the State of Illinois was granted final authorization by the Administrator of U.S. EPA, pursuant to Sections 3006 of RCRA, 42 U.S.C. §6926, to administer a hazardous waste program in lieu of the Federal program. See 51 Federal Register 3778 (1986). As a result, facilities in Illinois qualifying for interim status under 40 CFR 270.70 and facilities applying for a RCRA permit are regulated under the Illinois provisions found at 35 Illinois Administrative Code (IAC) 720 et seq. rather than the Federal regulations set forth at 40 CFR 260 et seq.

I. INSTRUCTIONS

This request for information pertains to specific information you may have regarding the management of solid and/or hazardous waste at your facility located at 131st and Kedzie Avenue, Blue Island, Illinois 60406.

If any information called for herein is not available or accessible in the full detail requested, the request shall be deemed to call for the best information available. The request also requires the production of all information called for in as detailed a manner as possible based upon such information as is available or accessible.

The information must be provided notwithstanding its possible characterization as confidential information or trade secrets. You are entitled to assert a claim of confidentiality pursuant to 40 CFR 2.203(b) for any information produced that, if disclosed to persons other than officers, employees, or duly authorized representatives of the United States, would divulge information entitled to protection as trade secrets. Any information which the Administrator of this Agency determines to constitute methods, processes or other business information entitled to protection as trade secrets will be maintained as confidential pursuant to the procedures set forth in 40 CFR Part 2. A request for confidential treatment must be made when information is provided since any information not so identified will not be accorded this protection by the Agency.

The written statements submitted pursuant to this request must be notarized and returned under an authorized signature certifying that all statements contained therein are true and accurate to the best of the signatory's knowledge and belief. Should the signatory find at any time after submittal of the requested information that any portion of this submittal certified as true is false or misleading, the signatory should so notify U.S. EPA. If any information submitted under this information request is found to be untrue or misleading, the signatory can be prosecuted under Section 101 of Title 18 of the United States Code. U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

The information requested herein must be provided, within twenty-one (21) calendar days following receipt of this request, to the United States Environmental Protection Agency, Region 5, Attention: Allen T. Wojtas, Enforcement and Compliance Assurance Branch (DRE-8J), 77 West Jackson Boulevard, Chicago, Illinois 60604.

II. DEFINITIONS

1. "Facility" means all contiguous land and structures, other appurtenances and improvements on the land used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal

operational units (e.g. one or more landfills, surface impoundments or combinations of them) (35 IAC 720.110).

2. "Solid waste" means a solid waste as defined in 35 Ill. Adm. Code 721.102 (35 IAC 720.110).

3. "Hazardous waste" means a hazardous waste as defined in 35 Ill. Adm. Code 721.103 (35 IAC 720.110).

4. "Generator" means any person, by site, whose act or process produces hazardous waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a hazardous waste to become subject to regulation (35 IAC 720.110).

5. "Transporter" means a person engaged in the offsite transportation of hazardous waste by air, rail, highway, or water. (35 IAC 721.110).

6. "Treatment" means any method, technique or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste or so as to render such waste nonhazardous or less hazardous; safer to transport, store or dispose of; or amenable for storage or reduced in volume (35 IAC 720.110).

7. "Storage" means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated disposed of or stored elsewhere. (35 IAC 720.110).

8. "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater (35 IAC 720.110).

9. "Manifest" means the shipping document originated and signed by the generator which contains them information contained by 35 Ill. Adm. Code 722 Subpart B (35 IAC 720.110).

III. REQUEST FOR ANSWERS TO QUESTIONS AND THE PRODUCTION OF DOCUMENTS

- 1) According to an operator's logbook and discussions with Clark personnel during the NEIC inspection, the contents of Clark's desalter were emptied into the Tank 29 dike on at least one occasion. Set forth each occasion on which the contents of the desalter were emptied into the Tank 29 dike and the amount.
 - a) What is the construction of the area inside of the dike?
 - b) Is the area inside of the dike lined?
 - c) Was the dike lined when Clark emptied the desalter into the dike?
 - d) Were any notifications made to regulatory agencies regarding the placement of the desalter contents into the dike?
 - e) Would the desalter contents be expected to exhibit any hazardous waste characteristics?

- f) When the desalter was emptied in the tank 29 dike, was a hazardous waste determination made?
 - g) Were any samples collected or analyses run? If so, provide documentation of any hazardous waste determinations, sampling, and analysis performed before placing the material in the dike.
 - h) Was the material ultimately removed from the diked area? Provide any available documentation describing waste determinations and management of the material.
 - I) Provide all documentation related to your answer to these questions.
- 2) Clark has indicated that the spent caustic placed in Tanks 28 and 29 are not hazardous waste because the material is shipped to International Paper, Merichem, and GATX Terminal as a product.
- a) Provide any documentation relating to shipments of spent caustic from Tanks 28 and 29 as a product since January 1993, including, but not limited to contracts, bills of sale, invoices, shipping documents, and other similar documents.
 - b) Provide any MSDSs or other documentation corresponding to shipments of spent caustic since January 1993.
 - c) Provide any available sampling and analytical information corresponding to the spent caustic.
 - d) Residues were observed beneath the valves and inside the dikes of Tanks 28 and 29 at the refinery. What are the residues? Is the residue removed periodically? If so, how is the material managed? If the material is disposed, provide any sampling, analytical, and shipping documentation.
 - e) Based on analytical results from samples collected to determine compliance with the Clean Air Act requirement, the spent caustic contains benzene. Does the spent caustic have to be processed to remove benzene and oil prior to its use as an ingredient in another industrial process? If so, who processes the spent caustic, and what is the disposition of the materials removed from the spent caustic?
 - f) Provide all documentation related to your answer to this question.
- 3) Clark representatives told the NEIC inspectors that material from cleanout of the 59 sump is combined with other materials, such as materials from the overflow pit, and shipped off site for disposal using a manifest. The waste codes assigned to the shipment typically include D018, K049, K050, K051, F037, and F038.

- a) When the 59 sump is cleaned out, and before the material is combined with other materials, how is the waste from the sump managed?
 - b) Is the material from the sump a listed waste, and does the material exhibit hazardous waste characteristics?
 - c) Provide any sampling and analytical information related to the material from the sump.
 - d) Provide all documentation related to your answer to these questions.
- 4) Black material was observed by NEIC around 59 sump, and on the ground inside the dike around Tanks 51 and 59, especially on the southern portion of the diked area (north of the warehouse, but inside of the tank dike).
- a) What are the sources of the contamination inside the dike of Tanks 51 and 59, and around the 59 sump?
 - b) Has material been excavated from these areas in the past? List the date of each occasion the material has been excavated, the results of any hazardous waste determination made on the materials, including any analytical information, and the disposition of the material.
 - c) Provide all documentation related to your answer to these questions.
- 5) Sheens have been observed by NEIC inspectors on water beneath the inlet pipe to tank dike 55 from Outfall 1B, and black stains were observed around the inside of the dike.
- a) Have samples been collected of the liquid in the dike? If so, provide copies of any analytical information available.
 - b) Has Clark removed sludge, solids or any material(s) from the dike of Tank 55? Was a waste determination made on the material(s)? What was the disposition of the material(s)?
 - c) Provide all documentation related to your answer to these questions.
- 6) Provide a written explanation of how the material inside of the red rolloff box, observed by NEIC during the March 1997 site visits, was generated. Include the history of the contents of Tank 78. The rolloff was located north of the overflow pit inside of the dike of Tank 52. When the rolloff was first observed by NEIC it was not marked. A hazardous waste label was added by Clark, with the waste number D008. "Tank 78" was also marked on the label, and a date of "2/3/97." Elva Carusiello indicated that the final hazardous waste determination had not been done on the

material, and that the information on the label was based on discussions with refinery personnel. What was the final determination of the regulatory status of the material, and what was the final disposition of the waste? Provide all documentation related to your answer to this question.

- 7) A September 18, 1995 revision of the RCRA contingency plan was provided to NEIC during the week of March 3, 1997. During the week of March 17, 1997, Clark provided a March 20, 1997 transmittal letter, indicating that a contingency plan was distributed to local emergency services.
 - a) Which version of the contingency plan was transmitted with the letter?
 - b) Clark personnel indicated that the revised contingency plan may have been distributed during meetings prior to March 20, 1997. If so, which version of the plan was distributed, and what meetings was Clark referring to?
 - c) When was the last date, prior to March 20, 1997, that a contingency plan was provided to local emergency services, including the on-site emergency services?
 - d) Provide all documentation related to your answers to these questions.
- 8) During the NEIC inspection on March 19, 1997, Bill Irwin indicated he had attended training provided by U.S. EPA Region 5, and that Clark had not made further efforts to comply with the RCRA air emissions (Subpart CC) requirements, and no documentation was available regarding efforts to comply.
 - a) Provide the location and the date of the training session attended by Bill Irwin.
 - b) Provide any other information regarding Clark's efforts to determine which wastes are subject to the RCRA air emissions requirements (Subparts BB and CC), and dates the determinations were made.
- 9) According to Clark's June 27, 1997 response to the May 29, 1997 Clean Air Act information request, Clark has received wastewater shipments from off-site facilities on the following dates: May 24, 1995, October 5, 1995, March 7, 1996, March 11, 1996, and April 3, 1997.
 - a) Who discovered the water in the tank(s) owned or operated by Martin Oil, and on what date? Indicate the location, designation (number or name), and capacity of each affected tank. Were any samples collected of the contents of the tank(s)? If so, who collected the sample(s) how many were collected, what were the results of the analysis?

- b) Who at Martin had conversations with Clark employees regarding the water in the tanks and the transportation of the water/gasoline? Are there any conversation records? Who contacted the vacuum truck and/or other transportation company or companies?
 - c) Provide a description of the transportation route, and copies of any manifests, bills of lading, weigh tickets, or other documentation associated with the vacuum truck shipments or other transportation of water/gasoline from the Martin Oil facility to Clark.
 - d) After the scheduled vacuum truck shipments of water/gasoline were canceled on or about April 3, 1997, what was done with the water/gasoline remaining in the tank(s)? Provide any documentation of the management of the material.
 - e) Provide all documentation related to your answers to these questions.
- 10) With respect to all wastes generated by Clark at its Blue Island, Illinois facility, other than office waste, provide the following information:
- a) a description of the waste stream;
 - b) the testing or monitoring of the waste stream, if any, conducted by Clark or on behalf of Clark by one of its contractors;
 - c) the waste determinations made by Clark with respect to such waste stream; and
 - d) how each waste stream is managed.

Provide copies of all documentation related to your answer to this question, including, for the period of January 1, 1993 to the present, copies of all analyses and sampling results for such waste.

- 11) Provide the following notarized certification by a responsible company officer:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in responding to this information request for the production of documents. Based on my review of all relevant documents and inquiry of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Issued this _____ day of _____, 1997.

Lorna M. Jereza, Chief
Illinois/Indiana Section
Enforcement and Compliance Assurance Branch
Waste, Pesticides, and Toxics Division
United States Environmental Protection Agency
Region V



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director
217/785-8604

2200 Churchill Road, Springfield, IL 62794-9276

July 19, 1996

Clark Oil & Refining Corporation
Attn: Elva Carusiello
13100 South Kedzie Avenue
Blue Island, Illinois 60406

Re: 0310240005 -- Cook County
Clark Oil & Refining Corporation
ILD005109822
Compliance File

Dear Ms. Carusiello:

On June 26, 1996, your facility was inspected by James Haennicke of the Illinois Environmental Protection Agency. The purpose of this follow-up inspection was to determine your facility's compliance status with respect to the apparent violations cited in the August 9, 1995 Compliance Inquiry Letter. During the inspection, it was determined that you have returned to compliance for the apparent violation of Section 21(a) of the [Illinois] Environmental Protection Act.

Please note, although you have returned to compliance for this apparent violation, the Agency reserves the right to pursue further enforcement.

For your information a copy of the inspection report is enclosed. Should you have any questions regarding the inspection, please contact James Haennicke at 708/338-7900.

Sincerely,

David C. Jansen, Acting Manager
Field Operations Section
Bureau of Land

DCJ:JH:dv7183.wpl

Enclosure

bcc: Division File
Maywood Region
James Haennicke
Deanne Virgin

SCREENED
11/11

CLARK

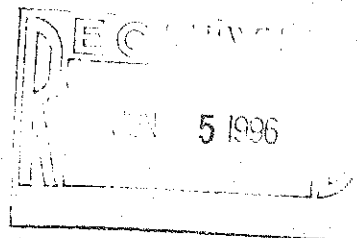
RESPONSE TO 4/18/96 PECL

REFINING & MARKETING, INC.

131st and Kedzie Avenue
Blue Island, Illinois 60406

May 30, 1996

Mr. Clifford Gould
Regional Manager
Division of Land Pollution
Illinois Environmental Protection Agency
1701 First Avenue
Maywood, ILL 60153



Refer to: 0310240005 -- Cook County
Clark Refining & Marketing, Inc.
(formerly known as Clark Oil & Refining, Corp.)
ILD005109822
COMPLIANCE FILE

Dear Mr. Gould:

Clark is in receipt of your letter dated May 24, 1996, received by Clark on May 28, 1996. Your letter stated the results from the May 22, 1996, Pre-Enforcement Conference. Specifically the action Clark agreed to perform in order to achieve compliance with the alleged violation.

Clark anticipates performing the remediation action around tank 51 by June 24, 1996 (weather permitting). When the remediation is scheduled Clark will notify Mr. Haennicke.

Clark would like to thank you and Mr. Haennicke for taking the time to meet with Clark in order to resolve this issue. If you have any questions please, contact me.

Sincerely yours,

CLARK REFINING & MARKETING, INC.

Ronald Snook
Environmental Manager
Blue Island Refinery

cc: Planning and Reporting Section
Division of Land Pollution Control #24
Illinois Environmental Protection Agency
2200 Churchill Road, PO Box 19276
Springfield, IL 62794-9276
File





State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

217/785-8604

2200 Churchill Road, Springfield, IL 62794-9276

CERTIFIED MAIL

2363764548

April 18, 1996

Clark Oil & Refining Corp.
Attn: Ronald Snook
13100 S. Kedzie
Blue Island, Illinois 60406

Re: PRE-ENFORCEMENT CONFERENCE LETTER
0310240005 - Cook County
Clark Oil & Refining Corp.
ILD005109822
Compliance File

Dear Mr. Snook:

The Agency has previously informed Clark Oil & Refining Corporation of apparent violations of the [Illinois] Environmental Protection Act and/or rules and regulations adopted thereunder. These apparent violations are set forth in Attachment A of this letter.

As a result of these apparent violations, it is our intent to refer this matter to the Agency's legal staff for the preparation of a formal enforcement case. The Agency's legal staff will, in turn, refer this matter to the Office of Attorney General or to the United States Environmental Protection Agency for the filing of a formal complaint.

Prior to taking such action, however, you are requested to attend a Pre-Enforcement Conference to be held at the Illinois Environmental Protection Agency's Maywood Regional Office, 1701 South 1st Avenue, Suite 600, Maywood, Illinois. The purpose of this Conference will be:

1. To discuss the validity of the apparent violations noted by Agency staff, and
2. To arrive at a program to eliminate existing and/or future violations.

You should, therefore, bring such personnel and records to the conference as will enable a complete discussion of the above items. We have scheduled the Conference for Wednesday, May 15, 1996 at 9:30 a.m. If this arrangement is inconvenient, you may arrange for an alternative date and time.

In addition, please be advised that this letter constitutes the notice required by Section 31(d) of the [Illinois] Environmental Protection Act prior to the filing of a formal complaint. The cited Section of the [Illinois] Environmental Protection Act requires the Agency to inform you of the charges which are to be alleged and offer you the opportunity to meet with appropriate officials within thirty days of this notice date in an effort to resolve such conflict which could lead to the filing of formal action.

SCREENED

Attachment A

1. Pursuant to Section 21(a) of the [Illinois] Environmental Protection Act(415 ILCS 5/21(a)), no person shall cause or allow the open dumping of any waste. You are in apparent violation of Section 21(a) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(a)), for the following reason: Tank 51 and its associated piping is continually causing contamination to the surrounding area.

GDS:JH:DV:rmi\962654.WPD

97111011000



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

1701 First Avenue, Maywood, IL 60153

708/338-7900

May 24, 1996

CERTIFIED MAIL
#Z 152 753 308

Clark Oil and Refining Corporation
Attn: Ronald Snook
13100 South Kedzie
Blue Island, IL 60406

PRE-ENFORCEMENT CONFERENCE FOLLOW-UP LETTER
Refer to: 0310240005 -- Cook County
Clark Oil & Refining Corporation
ILD005109822
COMPLIANCE FILE

RECEIVED

MAY 29 1996

IEPA-DLPC

Dear Mr. Snook:

On May 22, 1996, a Pre-Enforcement Conference (PEC) was held at the Maywood Regional office. This conference was held pursuant to the apparent violation(s) previously identified by the Agency in the Pre-Enforcement Conference Letter dated April 18, 1996. The purpose of this conference was 1) to discuss the validity of the apparent violation(s) noted by Agency staff, and 2) to arrive at a program to eliminate existing and/or future violation(s).

At the PEC, Clark Oil and Refining Corporation agreed to take the following steps toward achieving compliance with the identified violation(s):

Section 21(a) of the Act -

By June 24, 1996 Clark Oil and Refining Corporation will begin the remediation of contamination around Tank 51. James Haennicke, from the IEPA's Maywood Office, will be contacted at this time to verify the cleanup of this area.

Your written response and one copy of all documents submitted in response to this letter should be sent to:

Planning and Reporting Section
Division of Land Pollution Control #24
Illinois Environmental Protection Agency
2200 Churchill Road, P.O. Box 19276
Springfield, Illinois 62794-9276

SCREENED

Clark Oil and Refining Corporation
May 24, 1996
Page 2

The IEPA reserves the right to file an enforcement action based on the alleged violations of the Act and/or Regulations that were the subject of the notice forwarded to you and/or your facility, regardless of your current or future compliance with the Act and/or Regulations.

Should you have any questions concerning this letter or need further assistance, contact James Haennicke at 708/338-7900.

Sincerely,

Clifford Gould

Clifford Gould
Regional Manager
Division of Land Pollution Control

CG:JH:dfa:Clark

cc: Division File
Maywood Region

97191001389
GENERAL



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director
217/785-8604

2200 Churchill Road, Springfield, IL 62794-9276

April 1, 1996

Clark Oil & Refining Corporation
Attn: Elva Carusiello
13100 South Kedzie Avenue
Blue Island, Illinois 60406

Re: 0310240005 -- Cook County
Clark Oil & Refining Corporation
ILD005109822
Compliance File

Dear Ms. Carusiello:

The Agency is in receipt of your August 24, 1995 and January 3, 1996 responses to the August 9, 1995 Compliance Inquiry Letter. Based upon a review of your responses, the Agency has determined that you have returned to compliance for the apparent violation of Section 722.111.

Please note, although you have returned to compliance for this apparent violation, the Agency reserves the right to pursue further enforcement.

If you have any questions, please contact James Haennicke at 708/338-7900.

Sincerely,

Glenn D. Savage PMP

Glenn D. Savage, Manager
Field Operations Section
Division of Land Pollution Control
Bureau of Land

GDS:JH:dv22

bcc: Division File
Maywood Region
James Haennicke
Deanne Virgin



CLARK

RESPONSE TO 8/9/95 CIL

031 024 0005 Cook
Clark Oil & Refining
REFINING & MARKETING, INC.
ILD 005109822
Compliance File
131st and Kedzie Avenue
Blue Island, Illinois 60406

January 3, 1996

James Haennicke
Illinois Environmental Protection Agency
Bureau of Land
1701 South First Avenue
Maywood, Illinois 60153

RECEIVED
ENVIRONMENTAL PROTECTION AGENCY

JAN 03 1996
BUREAU OF LAND POLLUTION CONTROL
STATE OF ILLINOIS

Re: Clark Refining & Marketing, Inc.
Blue Island Refinery
Follow-Up to Compliance Inspection 6/95

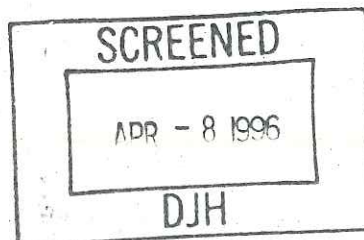
Dear Mr. Haennicke:

As a result of your inspection of the Clark Refining & Marketing, Inc. Blue Island Refinery in June, 1995 a Compliance Inquiry Letter was sent regarding the condition of the north side of the Tank 51 Dike and under the cone tank adjacent to the API separator. These two areas exhibited signs of soil contaminated with petroleum product. As a result, the areas were sampled to classify the waste soils that would be generated when the areas are cleaned and material is disposed.

The analytical data shows that the materials in these areas are not hazardous. These soils will be disposed of as a special waste in a permitted Illinois facility. The analytical data is attached

The north end of the Tank 51 Dike area was to be cleaned in October 1995, however due to a communication error the south side of the dike was cleaned. Attached is a copy of the Manifest for soils removed from the south side of the Tank 51 Dike. During the last week in December 1995 the soils at the south side of Tank 51 Dike were excavated and placed in a roll-off and are still on site awaiting disposal. The Dike remains excavated without backfill should you wish to inspect it.

The area under the cone tank was partially cleaned in December 1995 by Clark's maintenance personnel. Clark has determined the source of contamination. To adequately address the contamination issue a complete process review will be required and piping changes may be required. To best utilize Clark's resources, the process review and modifications will be made prior to completing the clean-up under the cone tank. It is estimated that the process review and process modification design will be complete by February 2, 1996. Once the process review and design are complete, a follow-up letter with a detailed schedule will be forwarded to you.



If you have any questions, or need further information, please call me at 708-385-5000 X257.

Sincerely yours,

CLARK REFINING & MARKETING, INC.

Elva Carusiello

Elva Carusiello
Assistant Environmental Manager

Attachments

cc: Ronald Snook
Robert Martindale

CLARK RESPONSE TO 8/9/95 CIL

0310240005--Cook
Clark Oil & Refining Corp.
Compliance Filer
REFINING & MARKETING, INC.

Certified Mail
Z 020 215 782

131st and Kedzie Avenue
Blue Island, Illinois 60406

August 24, 1995

Deanne Virgin
Compliance Unit
Illinois Environmental Protection Agency
Bureau of Land #24
Post Office Box 19276
Springfield, Illinois 62794-9276

RECEIVED

AUG 29 1995

IEPA/DLPC

Re: Clark Refining & Marketing, Inc.
Blue Island Refinery
ILD005109822
Compliance Inquiry Letter Dated 8/9/95

Dear Ms. Virgin,

This is in response to the Compliance Inquiry Letter dated August 9, 1995, and received by Clark Refining and Marketing, Inc. on August 11, 1995.

Clark has initiated waste determinations of the contaminated soil located adjacent to Tank 51 and under the sludge tank. Samples were sent out for analysis on August 14, 1995. The Chain of Custody Record is attached. The results are expected within two weeks of sampling.

A more detailed response will be submitted upon receipt of the analytical data.

If you have any questions, or need further information, please call me at 708-385-5000 X257.

Sincerely yours,

CLARK REFINING & MARKETING, INC.

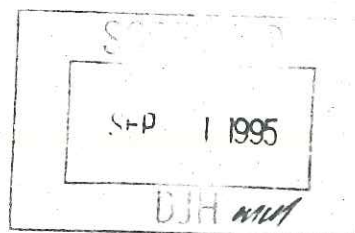
Elva Carusiello

Elva Carusiello
Assistant Environmental Manager

Attachment

cc: Ron Snook
Brad Burmaster

EC/ec/k:/environ/and/iepa/cil0895.doc



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/782-6761

CERTIFIED MAIL

2422918455

August 9, 1995

Clark Oil & Refining Corporation
Attn: Elva Carusiello
13100 South Kedzie Avenue
Blue Island, Illinois 60406

Re: COMPLIANCE INQUIRY LETTER
0310240005 -- Cook County
Clark Oil & Refining Corporation
ILD005109822
Compliance File

Dear Ms. Carusiello:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of the [Illinois] Environmental Protection Act and 35 Ill. Adm. Code, Subtitle G and to inquire as to your position with respect to the apparent violations identified in Attachments A and B and your plans to correct these apparent violations. The Agency's findings of apparent non-compliance listed in Attachments A and B are based on an inspection completed on June 23, 1995. For your convenience a copy of the inspection report is enclosed with this letter.

These resolution dates are not to exceed 60 days from the date of the above referenced inspection and/or record review. The written response, and two copies of all documents submitted in reply to this letter, should be sent to the following:

Deanne Virgin
Compliance Unit
Illinois Environmental Protection Agency
Bureau of Land #24
Post Office Box 19276
Springfield, Illinois 62794-9276

Further, take notice that non-compliance with the requirements of the [Illinois] Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the [Illinois] Environmental Protection Act, 415 ILCS 5/1 et seq. or the Federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.

SCREENED

AUG 16 1995

Attachment A

1. Pursuant to 35 Ill. Adm. Code 722.111, a person who generates a solid waste as defined in Section 721.102, must determine if that waste is a hazardous waste using the following method:
 - a. He should first determine if the waste is excluded from regulation under Section 721.104.
 - b. He must then determine if the waste is listed as a hazardous waste in Subpart D of Part 721.

Note: Even if a waste is listed, the generator still has an opportunity under Section 720.122 and 40 CFR Section 260.22 to demonstrate that the waste from his particular facility or operation is not a hazardous waste.

- c. If the waste is not listed as a hazardous waste in Subpart D of Part 721, he must determine whether the waste is identified in Subpart C of Part 721 by either:
 1. Testing the waste according to the methods set forth in Subpart C of Part 721, or according to an equivalent method approved by the Board under Section 720.121; or
 2. Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.

You are in apparent violation of Section 722.111 for the following reason(s): Waste determinations must be made on the contaminated soil located adjacent to tank 51 and under the sludge tank..

DV:ct,951464

Attachment B

1. Pursuant to Section 21(a) of the [Illinois] Environmental Protection Act, 415 ILCS 5/1 et seq., no person shall cause or allow the open dumping of any waste. You are in apparent violation of Section 21(a) of the [Illinois] Environmental Protection Act, 415 ILCS 5/1 et seq., for the following reason(s): Soil contamination adjacent to tank 51 and under the sludge tank.

DV:ct,951451



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

12

REPLY TO THE ATTENTION OF

JUL 19 1995

HRE-BJ

Glenn Savage, Manager
Field Operations Section
Division of Land Pollution Control
Illinois Environmental Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276

AUG 1 1995

Re: Citizen Complaint

Dear Mr. Savage:

The United States Environmental Protection Agency is referring to your agency a citizen complaint. The complaint is from Mr. Frank Krueger. He alledged in a telephone conversation to our office that industrial waste was being dumped into residential sewers.

Please investigate this matter as soon as possible and pursue the appropriate state enforcement activity. Send a copy of the results of your investigation to Ms. Zetta West at our office. If you have any questions, please contact her at (312) 886-4581 or me at (312) 886-4445.

Your cooperation and effort in this matter are appreciated.

Sincerely yours,

Uylaine E. McMahon

Uylaine E. McMahon, Chief
Enforcement Program Section

Enclosure

cc: Clifford Gould, IEPA
William Radlinski, IEPA

RECEIVED

AUG 10 1995

IEPA-DLPC

RECEIVED

JUL 20 1995

IEPA-DLPC



Printed on Recycled Paper

June 21, 1995

I received a call from a Mr. Frank Krueger of 2501 James Street in Blue Island, Illinois, telephone no. 708-389-6004. He has a citizen complaint concerning Industrial toxic waste being dumped into Residential Sewers. He claims to have reported his complaints about this same situation over the past 17 years to the Streets and Sanitation Dept. of Blue Island and their Fire Dept. Apparently they have flushed out the sewers and taken gas readings with do not show much but, Mr. Krueger says the stinch comes and goes. He indicated he had talked to the Water Reclamation District and the Illinois EPA. He said he talked to Allan Anderson of IEPA on 6-20 at 708-338-7900 (Maywood Office) and a Sherry Sopczak/Phelan at 312-821-2071 of the Water Reclamation District. He claimed Mr. Anderson told him that IEPA did not have jurisdiction and that the Water Reclamation District did. He has also talked to someone by the name of Rosemary Cazau in the Illinois Attorney Generals Office, either in Markham or Chicago.

He claims he has cancer, along with several others in the area, and they contribute it to the gas additive (Cumene ?) that BTL company, which is on Clark Oil Refinery property, has been producing over the last year or so.

I advised him that someone from the Enforcement Branch would be corresponding with the IEPA, et.al, and he would be receiving copies of the correspondence.

1/15/95

THE UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.) No. 98 C 5618
)
 CLARK REFINING AND MARKETING, INC.,) Judge Marovich
)
 Defendant.)

Defendant, CLARK REFINING & MARKETING, INC. ("Clark"), by and through its undersigned counsel, hereby answers the Complaint of the United States of America as follows:

Paragraph No. 1 Alleges:

Answer to Paragraph No. 1

Clark admits that the United States' complaint in this action purports to seek relief under the cited statutes, and Clark refers to the statutes for the terms thereof.

JURISDICTION AND VENUE

Paragraph No. 2 Alleges:

This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331, 1345 and 1355; Section 113(b) of the CAA, 42 U.S.C. § 7413(b); Sections 309(b) and 311(b)(7) of the CWA, 33 U.S.C. §§ 1319(b) and 1321(b)(7); Section 3008(a) of RCRA, 42 U.S.C. § 6928(a); Sections 109(c) and 113(b) of CERCLA, 42 U.S.C. §§ 9609(c) and 9613(b); and Section 325(b)(3) of EPCRA, 42 U.S.C. § 11045(b)(3).

Answer to Paragraph No. 2:

Admitted.

Paragraph No. 3 Alleges:

Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1395; Section 113(b) of the CAA, 42 U.S.C. § 7413(b); Sections 309(b) and 311(b)(7)(E) of the CWA, 33 U.S.C. §§ 1319(b) and 1321(b)(7)(E); Section 3008(a) of RCRA, 42 U.S.C. § 6928(a); Sections 109(c) and 113(b) of CERCLA, 42 U.S.C. §§ 9609(c) and 9613(b); and Section 325(b)(3) of EPCRA, 42 U.S.C. § 11045(b)(3), because the violations alleged herein occurred and are occurring at Clark's Blue Island facility, which is located in this district.

Answer to Paragraph No. 3:

Clark admits that venue is proper in this district because Clark's Blue Island refinery, which is the subject of the action, is located within the District. Clark denies any remaining allegations of this paragraph.

NOTICE TO STATE

Paragraph No. 4 Alleges:

Notice of the commencement of this action has been given to the State of Illinois pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b); Section 309(b) of the CWA, 33 U.S.C. § 1319(b); and Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2).

Answer to Paragraph No. 4:

Clark lacks sufficient information to admit or deny the allegation of this paragraph.

DEFENDANT

Paragraph No. 5 Alleges:

Clark is incorporated under the laws of the State of Delaware and is registered to conduct business in the State of Illinois. Clark has owned and operated a petroleum refinery located at 131st Street and Kedzie Avenue, Blue Island, Cook County, Illinois (the "Blue Island Refinery" or the "Facility") at all times relevant to this complaint. Clark manufactures, among other things, gasoline, liquid petroleum gas, heating fuel, jet fuel, diesel fuel, and asphalt at the Blue Island Refinery.

Answer to Paragraph No. 5:

Clark admits the allegations of the first and third sentences of this paragraph. Clark admits that it has owned and operated the Blue Island Refinery since 1988, but Clark lacks sufficient information to admit or deny allegations regarding the time period that the United States believes is "relevant" to its complaint.

Paragraph No. 6 Alleges:

Clark Refining & Marketing, Inc., is a "person" as defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e); Section 502(5) of the CWA, 33 U.S.C. § 1362(5); Section 1004(15) of RCRA, 42 U.S.C. § 6903(15); Section 101(21) of CERCLA, 42 U.S.C. § 9601(21); Section 329(7) of EPCRA, 42 U.S.C. § 11049(7); and applicable federal, state, and local regulations promulgated pursuant to the foregoing, including Article II of the Metropolitan Water Reclamation District of Greater Chicago's Sewage and Waste Control Ordinance, as amended.

Answer to Paragraph No. 6:

Clark admits that it is a "person" as defined in the cited statutes and ordinance, but Clark lacks sufficient information to admit or deny the allegation regarding unspecified federal, state, and local regulations.

Paragraph No. 7 Alleges:

The Blue Island Refinery is a "petroleum refinery" within the meaning of 40 C.F.R. §§ 60.101(a) and 61.341 and 35 Illinois Admin. Code § 211.4630.

Answer to Paragraph No. 7:

Admitted.

STATUTORY AND REGULATORY BACKGROUND
AND GENERAL ALLEGATIONS

Clean Air Act -
National Emission Standards for Hazardous Air Pollutants

Paragraph No. 8 Alleges:

Section 112 of the CAA, 42 U.S.C. § 7412, requires U.S. EPA to promulgate emission standards for certain categories of sources of hazardous air pollutants ("National Emission Standards for Hazardous Air Pollutants" or "NESHAPs").

Answer to Paragraph No. 8:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 9 Alleges:

Pursuant to Section 112(d) of the CAA, 42 U.S.C. § 7412(d), U.S. EPA promulgated National Emission Standards for Benzene Waste Operations ("Benzene Waste Operations NESHAP"). Those regulations are set forth at 40 C.F.R. Part 61, Subpart FF. Pursuant to 40 C.F.R. § 61.340(a), the provisions of 40 C.F.R. Part 61, Subpart FF apply, inter alia, to petroleum refineries.

Answer to Paragraph No. 9:

Admitted.

Paragraph No. 10 Alleges:

Clark's Blue Island Refinery is subject to the Benzene Waste Operations NESHAP, 40 C.F.R. Part 61, Subpart FF.

Answer to Paragraph No. 10:

Clark admits that the Blue Island Refinery is subject to the provisions of the cited regulations, some but not all of which apply to the Refinery's operations.

Paragraph No. 11 Alleges:

40 C.F.R. § 61.342(b) requires each owner or operator of a facility subject to 40 C.F.R. Part 61, Subpart FF, and at which the total annual benzene quantity from facility waste is equal to or greater than 10 Mg/yr, to manage and treat the facility waste pursuant to the requirements of 40 C.F.R. §§ 61.342(c)-(e).

Answer to Paragraph No. 11:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 12 Alleges:

The total annual benzene quantity in the Blue Island Refinery's waste is and/or has been equal to or greater than 10 Mg/yr.

Answer to Paragraph No. 12:

Denied.

Paragraph No. 13 Alleges:

Benzene is a cyclic hydrocarbon compound that is a volatile, flammable liquid at room temperature. Benzene has been determined to be a human carcinogen based on studies that link occupational exposure to benzene with leukemia. No threshold level has been established for risks to human health from exposure to benzene.

Answer to Paragraph No. 13:

Clark admits the allegations of the first sentence. Clark lacks sufficient information to admit or deny the remaining allegations of this paragraph.

Paragraph No. 14 Alleges:

40 C.F.R. §§ 61.342(a) and 61.355(a) require each owner or operator of a facility subject to 40 C.F.R. Part 61, Subpart FF, to determine the total annual benzene quantity from facility waste by summing the annual benzene quantity of specified waste streams. These provisions also require such owners and operators to determine the annual benzene quantity for specified waste streams, including waste streams with a flow-weighted annual average water content greater than 10 percent water and waste streams that are mixed with water, or other wastes, at any time and the mixture has an annual average water content greater than 10 percent.

Answer to Paragraph No. 14:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 15 Alleges:

40 C.F.R. § 61.357(a) requires each owner or operator of a facility subject to 40 C.F.R. Part 61, Subpart FF to submit a report that includes, inter alia, the total annual benzene quantity from facility waste determined in accordance with 40 C.F.R. § 61.355(a) and a table identifying each waste stream having a flow weighted annual average water content greater than 10 percent and whether the waste stream will be controlled for benzene emissions.

Answer to Paragraph No. 15:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 16 Alleges:

40 C.F.R. § 61.356(b)(1) requires each owner or operator of a facility subject to 40 C.F.R. Part 61, Subpart FF to maintain records for each waste stream not controlled for benzene emissions in accordance with Subpart FF including, inter alia, all test results, measurements, calculations, and specified other documentation regarding each waste stream and each waste stream's benzene content.

Answer to Paragraph No. 16:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 17 Alleges:

40 C.F.R. § 61.357(c) and (d)(2) requires each owner or operator of a facility subject to 40 C.F.R. Part 61, Subpart FF that has a total annual benzene quantity from facility waste equal to or greater than 1 Mg/yr to submit an annual report that, inter alia, updates the information required in 40 C.F.R. § 61.357(a)(1)-(3).

Answer to Paragraph No. 17:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 18 Alleges:

40 C.F.R. § 61.357(d)(1) requires each owner or operator of a facility subject to 40 C.F.R. Part 61, Subpart FF at which the total annual benzene quantity from facility waste is equal to or greater than 10 Mg/yr, to certify by April 7, 1993 that the equipment necessary to comply with the control requirements of Subpart FF has been installed and the required initial inspections or tests have been carried out in accordance with Subpart FF. 40 C.F.R. § 61.357(d)(7) requires each such owner or operator to submit a quarterly report on the performance of the equipment installed to comply with the control requirements of Subpart FF. 40 C.F.R. § 61.357(d)(8) requires each such owner or operator to submit an annual report that summarizes all inspections required by 40 C.F.R. §§ 61.342 through 61.354 during which detectable emissions are measured or a problem that could result in benzene emissions is identified.

Answer to Paragraph No. 18:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 19 Alleges:

40 C.F.R. § 61.05(c) prohibits an owner or operator of a facility from operating an existing source subject to a NESHAP standard in violation of the standard, except under a waiver or exemption granted pursuant to the CAA. Clark was not granted a waiver or exemption to the Benzene Waste Operations NESHAP.

Answer to Paragraph No. 19:

Clark refers to the regulation cited in the first sentence for its terms and denies any inaccurate or incomplete characterization thereof. Clark admits the allegations of the second sentence.

Paragraph No. 20 Alleges:

Pursuant to Section 113(a)(1)(C) and (b)(1)(B) of the CAA, 42 U.S.C. § 7413(a)(1)(C) and (b)(1)(B), U.S. EPA notified Clark on September 30, 1996, that Clark was in violation of the Benzene Waste Operations NESHAP.

Answer to Paragraph No. 20:

Clark denies the allegations of this paragraph, although answering further Clark states that on or about October 3, 1996, it received a Finding of Violation (FOV) from U.S. EPA dated September 30, 1996, which alleged that Clark was in violation of the Benzene Waste Operations NESHAP; and that the FOV was accompanied by a letter which states that the FOV was issued pursuant to 42 U.S.C. § 7413(a)(1) and (a)(3). Further answering, Clark denies that it was in violation of the referenced NESHAP.

Paragraph No. 21 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. Section 7413(b), U.S. EPA may commence a civil action for injunctive relief and civil penalties not to exceed \$25,000 per day for each violation of the CAA, including violations of any NESHAP. Pursuant to Pub. L. 104-134 and 61 Fed. Reg. 69,360, civil penalties of up to \$27,500 per day for each violation may be assessed for violations occurring on or after January 30, 1997.

Answer to Paragraph No. 21:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

**Clean Air Act -
New Source Performance Standards**

Paragraph No. 22 Alleges:

Section 111 of the Clean Air Act, 42 U.S.C. § 7411, requires U.S. EPA to promulgate standards of performance for certain categories of new air pollution sources ("New Source Performance Standards" or "NSPS").

Answer to Paragraph No. 22:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 23 Alleges:

Pursuant to Section 111(b) of the Clean Air Act, 42 U.S.C. § 7411(b), U.S. EPA promulgated general regulations applicable to all NSPS source categories. Those general regulations are set forth at 40 C.F.R. Part 60, Subpart A.

Answer to Paragraph No. 23:

Clark refers to the cited statute and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 24 Alleges:

Pursuant to Section 111(b) of the Clean Air Act, 42 U.S.C. § 7411(b), U.S. EPA promulgated NSPS regulations applicable to petroleum refineries. Those regulations are set forth at 40 C.F.R. Part 60, Subpart J.

Answer to Paragraph No. 24:

Clark refers to the cited statute and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 25 Alleges:

Claus sulfur recovery plants, except Claus plants of 20 long tons per day or less, for which construction or modification commenced after October 4, 1976 are subject to 40 C.F.R. Part 60, Subpart J.

Answer to Paragraph No. 25:

Clark refers to the cited regulation for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 26 Alleges:

Clark's Claus sulfur recovery plant was constructed or modified after October 4, 1976 and is greater than 20 long tons per day, and is therefore subject to 40 C.F.R. Part 60, Subpart J.

Answer to Paragraph No. 26:

Denied.

Paragraph No. 27 Alleges:

40 C.F.R. § 60.105(a)(6) requires sulfur recovery plants subject to 40 C.F.R. Part 60, Subpart J with reduction control systems not followed by incineration to install, calibrate, maintain, and operate continuous monitoring system ("CEMS") for measuring and recording the concentration of reduced sulfur and O₂ emissions into the atmosphere.

Answer to Paragraph No. 27:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 28 Alleges:

40 C.F.R. § 60.13(g) provides, inter alia, that when the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable CEMS on each separate effluent, unless fewer systems are approved by U.S. EPA.

Answer to Paragraph No. 28:

Clark refers to the cited regulation for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 29 Alleges:

40 C.F.R. § 60.104(a)(2) prohibits sulfur recovery plants subject to 40 C.F.R. Part 60, Subpart J with reduction control systems followed by incineration from discharging in excess of 250 ppm by volume (dry basis) of SO₂ at zero percent excess air. 40 C.F.R. § 60.104(a)(2) prohibits sulfur recovery plants subject to 40 C.F.R. Part 60, Subpart J with reduction control systems not followed by incineration from discharging in excess of 300 ppm by volume of reduced sulfur compounds and in excess of 10 ppm by volume of hydrogen sulfide, each calculated as ppm SO₂ by volume (dry basis) at zero percent excess air.

Answer to Paragraph No. 29:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 30 Alleges:

40 C.F.R. § 60.11(d) requires owners and operators of facilities subject to 40 C.F.R. Part 60, Subpart J to maintain and operate any affected facility, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions.

Answer to Paragraph No. 30:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 31 Alleges:

40 C.F.R. § 60.7(c) requires owners or operators that are required to install CEMS pursuant to 40 C.F.R. Part 60, Subpart J to submit to U.S. EPA, on a semiannual basis, excess emission and monitoring system performance reports that identify, *inter alia*, periods of emissions in excess of certain emissions requirements as specified in 40 C.F.R. §§ 60.7(c) and 60.105(c)(4).

Answer to Paragraph No. 31:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 32 Alleges:

40 C.F.R. § 60.8(a) requires owners or operators of facilities subject to 40 C.F.R. Part 60, Subpart J to conduct a performance test within 60 days of achieving maximum production rate, but not later than 180 days after initial startup. 40 C.F.R. § 60.106(f)(2) requires performance testing on Claus sulfur recovery plants with reduction control devices not followed by incineration be tested in accordance with Method 15 of 40 C.F.R. Part 60, Appendix A, to determine the reduced sulfur and H₂S concentration in its emissions.

Answer to Paragraph No. 32:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 33 Alleges:

Pursuant to Section 113(a)(1)(C) and (b)(1)(B) of the CAA, 42 U.S.C. § 7413(a)(1)(C) and (b)(1)(B), U.S. EPA notified Clark on August 19, 1997, that Clark was in violation of the NSPS for Petroleum Refineries set forth in 40 C.F.R. Part 60, Subparts A and J.

Answer to Paragraph No. 33:

Clark denies the allegations of this paragraph, although answering further Clark states that on or about August 21, 1997, it received a Finding of Violation (FOV) from U.S. EPA dated August 19, 1997, which alleged that Clark was in violation of the referenced NSPS standards; and that the FOV was accompanied by a letter which states that the FOV was issued pursuant to 42 U.S.C. 7413 (a)(3). Further answering, Clark denies that it was in violation of the referenced NSPS.

Paragraph No. 34 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. Section 7413(b), U.S. EPA may commence a civil action for injunctive relief and civil penalties not to exceed \$25,000 per day for each violation of the CAA, including violations of any NSPS. Pursuant to Pub. L. 104-134 and 61 Fed. Reg. 69,360, civil penalties of up to \$27,500 per day for each violation may be assessed for violations occurring on or after January 30, 1997.

Answer to Paragraph No. 34:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

**Clean Air Act -
State Implementation Plan**

Paragraph No. 35 Alleges:

Section 109 of the Clean Air Act, 42 U.S.C. § 7409, requires U.S. EPA to promulgate regulations establishing primary and secondary National Ambient Air Quality Standards ("NAAQS") for certain listed air pollutants, including ozone. The primary NAAQS shall be sufficient to protect the public health, allowing an adequate margin of safety, and the secondary NAAQS shall be sufficient to protect the public welfare from any known or anticipated adverse effects associated with the presence of the air pollutant in the ambient air. The NAAQS promulgated by the Administrator pursuant to Section 109 of the Act are set forth at 40 C.F.R. Part 50.

Answer to Paragraph No. 35:

Clark refers to the cited statute and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 36 Alleges:

Section 110 of the CAA, 42 U.S.C. § 7410, required each state to adopt and submit to U.S. EPA for approval a State Implementation Plan ("SIP") that provides for the attainment and maintenance of the NAAQS, including the NAAQS for ozone.

Answer to Paragraph No. 36:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 37 Alleges:

Pursuant to Section 110 of the CAA, 42 U.S.C. § 7410, portions of the Illinois SIP, including 35 Illinois Administrative Code ("I.A.C.") Part 218, have been submitted to, and approved by, U.S. EPA. 35 I.A.C. Part 218 establishes Organic Material Emission Standards and Limitations for the Chicago Area. 35 I.A.C. 218, Subpart R establishes standards for Petroleum Refining and Related Industries, including the requirement that subject facilities establish a leak detection and repair ("LDAR") program. U.S. EPA approved 35 I.A.C. 218, Subpart R on September 9, 1994. These regulations are designed to prevent certain emissions of volatile organic compounds from petroleum refineries by requiring each valve, pump and compressor in service to be identified, monitored and repaired on a routine basis using specified procedures.

Answer to Paragraph No. 37:

Clark admits the allegations of the first and fourth sentences. Clark refers to the statute and regulations cited in the second and third sentences for their terms and denies any inaccurate or incomplete characterization thereof. Clark lacks sufficient information to admit or deny the allegations of the fifth sentence.

Paragraph No. 38 Alleges:

35 I.A.C. § 218.447(a) requires the owner or operator of a petroleum refinery to test certain valves and seals for leaks using equipment calibrated using the methods referenced in 35 I.A.C. § 218.105(g). 35 I.A.C. § 218.105(g)(1)(D) requires calibration gases to be set at zero air (less than 10 ppm hydrocarbon in the air) and a mixture of methane or n-hexane and air at a concentration of approximately, but no less than, 10,000 ppm methane or n-hexane.

Answer to Paragraph No. 38:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 39 Alleges:

35 I.A.C. § 218.445(d) provides that the owner or operator of a petroleum refinery shall identify each component subject to leak monitoring.

Answer to Paragraph No. 39:

Clark refers to the cited regulation for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 40 Alleges:

35 I.A.C. § 218.446(a)(1) requires the owner or operator of a petroleum refinery to prepare a monitoring program that identifies all refinery components and the period in which each will be monitored.

Answer to Paragraph No. 40:

Clark refers to the cited regulation for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 41 Alleges:

35 I.A.C. § 218.446(a)(4) provides that a monitoring program prepared pursuant to 35 I.A.C. § 218.446(a) must describe the methods to be used to identify all pipeline valves, pressure relief valves in gaseous service and all leaking components such that they are obvious to both refinery personnel performing monitoring and Agency personnel performing inspections.

Answer to Paragraph No. 41:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 42 Alleges:

35 I.A.C. § 218.447(a)(2) requires the owner or operator of a petroleum refinery to test once each quarter of each calendar year, by the method referenced in 35 I.A.C. § 218.105(g), all pressure relief valves in gaseous service, pipeline valves in gaseous service and compressor seals.

Answer to Paragraph No. 42:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 43 Alleges:

40 C.F.R. § 52.23 provides, inter alia, that any failure by a person to comply with any approved regulatory provision of a SIP shall render such person subject to enforcement action pursuant to Section 113 of the CAA, 42 U.S.C. § 7413.

Answer to Paragraph No. 43:

Clark refers to the cited statute and regulation for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 44 Alleges:

Pursuant to Section 113(a)(1)(C) and (b)(1)(B) of the CAA, 42 U.S.C. § 7413(a)(1)(C) and (b)(1)(B), U.S. EPA notified Clark on September 30, 1996, that Clark was in violation of applicable federally enforceable state air requirements.

Answer to Paragraph No. 44:

Clark admits that the U.S. EPA provided the referenced notice on September 30, 1996, but Clark denies that it was in violation of applicable federally enforceable state air requirements.

Paragraph No. 45 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), U.S. EPA may commence a civil action for injunctive relief and civil penalties not to exceed \$25,000 per day for each violation of the CAA, including violations of any applicable implementation plan. Pursuant to Pub. L. 104-134 and 61 Fed. Reg. 69,360, civil penalties of up to \$27,500 per day for each violation may be assessed for violations occurring on or after January 30, 1997.

Answer to Paragraph No. 45:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Clean Water Act
Direct Discharges

Paragraph No. 46 Alleges:

The objective of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of the waters of the United States. 33 U.S.C. § 1251(a).

Answer to Paragraph No. 46:

Clark lacks sufficient information to admit or deny the allegations of this paragraph.

Paragraph No. 47 Alleges:

Section 301(a) of the CWA, 33 U.S.C. § 1251(a), prohibits the discharge of any pollutant into navigable waters of the United States by any person except in compliance with, inter alia, a

National Pollutant Discharge Elimination ("NPDES") permit issued by U.S. EPA or an authorized state pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

Answer to Paragraph No. 47:

Clark refers to the cited statutes for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 48 Alleges:

Section 402(a) of the CWA, 33 U.S.C. § 1342(a), provides that U.S. EPA or an authorized state, in issuing NPDES permits, shall prescribe conditions for such permits as the permitting authority determines are necessary to carry out the provisions of the CWA.

Answer to Paragraph No. 48:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 49 Alleges:

The State of Illinois is authorized by the Administrator of U.S. EPA, pursuant to Section 402(b) of the CWA, 33 U.S.C. § 1342(b), to administer the NPDES permit program for discharges into navigable waters within its jurisdiction.

Answer to Paragraph No. 49:

Admitted.

Paragraph No. 50 Alleges:

The Cal-Sag Channel is a "navigable water" within the meaning of Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

Answer to Paragraph No. 50:

Admitted.

Paragraph No. 51 Alleges:

Pursuant to Section 309(b) and (d) of the CWA, 33 U.S.C. § 1319(b) and (d), U.S. EPA may commence a civil action for injunctive relief and civil penalties of up to \$25,000 per day for

each violation of the CWA, including discharges of any pollutant without, or not in compliance with the terms and conditions of, an NPDES permit. Pursuant to Pub. L. 104-134 and 61 Fed. Reg. 69,360, civil penalties of up to \$27,500 per day for each violation may be assessed for violations occurring on or after January 30, 1997.

Answer to Paragraph No. 51:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Clean Water Act
Discharges To POTW

Paragraph No. 52 Alleges:

Section 307(b) of the CWA, 33 U.S.C. § 1317(b), requires the Administrator of U.S. EPA to establish pretreatment standards for existing and new sources that introduce pollutants into any publicly-owned "treatment works" ("POTW"), as defined in Section 212(2) of the CWA, 33 U.S.C. § 1292(2).

Answer to Paragraph No. 52:

Clark refers to the cited statutes for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 53 Alleges:

Section 307(d) of the CWA, 33 U.S.C. § 1317(d), prohibits the owner or operator of any source from operating the source in violation of any pretreatment standard after the effective date of such standard.

Answer to Paragraph No. 53:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 54 Alleges:

Pursuant to Section 307(b)(1) of the CWA, 33 U.S.C. § 1317(b)(1), the Administrator of U.S. EPA promulgated General Pretreatment Regulations for Existing and New Sources of Pollution. Such Standards are codified at 40 C.F.R. Part 403.

Answer to Paragraph No. 54:

Admitted.

Paragraph No. 55 Alleges:

The provisions of 40 C.F.R. Part 403 apply to each "User" introducing pollutants into POTW.

Answer to Paragraph No. 55:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 56 Alleges:

Clark is an "Industrial User" or "User" that introduces pollutants into a POTW owned and operated by the Metropolitan Water Reclamation District of Greater Chicago ("MWRDGC"), within the meaning of 40 C.F.R. Part 403.3(h) and 403.5(b). Clark is subject to the requirements of 40 C.F.R. Part 403.

Answer to Paragraph No. 56:

Clark admits the allegations of the first sentence. Clark admits that the Blue Island Refinery is subject to the requirements of 40 C.F.R. Part 403, some but not all of which apply to the Refinery.

Paragraph No. 57 Alleges:

Pursuant to Section 307(b) of the CWA, 33 U.S.C. § 1317(b), and 40 C.F.R. §§ 403.5(c) and 403.8, each POTW with a total design flow greater than five million gallons of water per day and which receives pollutants from industrial users subject to pretreatment standards is required to establish its own Pretreatment Program and to establish specific limits ("local limits") to implement the prohibitions in 40 C.F.R. § 403.5(a)(1) and (b).

Answer to Paragraph No. 57:

Clark refers to the cited statute and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 58 Alleges:

Under 40 C.F.R. § 403.5(d), a POTW's local limits established pursuant to 40 C.F.R. § 403.5(c) are deemed to be pretreatment standards for the purposes of Section 307(d) of the CWA, 33 U.S.C. § 1317(d).

Answer to Paragraph No. 58:

Clark refers to the cited statute and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 59 Alleges:

In accordance with 40 C.F.R. §§ 403.5(c) and 403.8, the Metropolitan Sanitary District of Greater Chicago, and its successor, the MWRDGC, developed and submitted to U.S. EPA for approval a local pretreatment program, including local limits governing discharges into sewerage systems under the jurisdiction of the MWRDGC. Such local limits are set forth in Appendix B to the "Sewage and Waste Control Ordinance," as promulgated by the Metropolitan Sanitary District of Greater Chicago, and further amended by the MWRDGC ("MWRDGC Ordinance" or "Ordinance").

Answer to Paragraph No. 59:

Clark lacks sufficient information to admit or deny the first sentence of this paragraph. With respect to the allegations of the second sentence, Clark refers to the Ordinance for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 60 Alleges:

Pursuant to 40 C.F.R. § 403.9, U.S. EPA approved a local pretreatment program for POTWs owned or operated by the MWRDGC. MWRDGC is a "Control Authority" within the meaning of 40 C.F.R. §§ 403.6(e) and 403.12(a).

Answer to Paragraph No. 60:

Clark lacks sufficient information to admit or deny the allegations of this paragraph.

Paragraph No. 61 Alleges:

In accordance with 40 C.F.R. § 403.5(d), the effluent limits established in Appendix B of the MWRDGC Ordinance are federally enforceable pretreatment standards for purposes of Section 307(d) of the CWA, 33 U.S.C. § 1317(d).

Answer to Paragraph No. 61:

Clark lacks sufficient information to admit or deny the allegations of this paragraph.

Paragraph No. 62 Alleges:

Pursuant to Section 307(b)(1) of the CWA, 33 U.S.C. § 1317(b)(1), the Administrator of U.S. EPA promulgated categorical pretreatment standards applicable to discharges of process wastewater to POTWs from various categories of industrial sources, including the Petroleum Refinery Point Source Category. Pretreatment standards applicable to various petroleum refinery sources are codified at 40 C.F.R. Part 419.

Answer to Paragraph No. 62:

Clark admits the allegations of the first sentence of this paragraph. With respect to the allegations of the second sentence, Clark refers to the regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 63 Alleges:

Effluent limits applicable to process wastewater discharges from facilities that produce petroleum products by the use of cracking, one of several subcategories in the Petroleum Refinery Point Source Category, are set forth in Subpart B of 40 C.F.R. Part 419. Standards for facilities regulated under the cracking subcategory that were in existence at the time the rule was promulgated, called Pretreatment Standards for Existing Sources ("PSES"), are set forth at 40 C.F.R. § 419.25. Existing sources within the cracking subcategory were required

to comply with PSES effluent limitations by October 18, 1985, three years after promulgation of the regulations.

Answer to Paragraph No. 63:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 64 Alleges:

At the time of promulgation of the Petroleum Refinery Point Source Category regulations, Clark's Blue Island Refinery was an existing facility refining crude oil into crude using the cracking process.

Answer to Paragraph No. 64:

Clark states that it did not own or operate the Blue Island Refinery at the time of promulgation of the cited regulations. In addition, Clark does not understand the phrase "refining crude oil into crude." To the extent Clark understands the allegation, Clark denies it.

Paragraph No. 65 Alleges:

On various occasions from 1993 to the present date, Clark discharged process wastewater that resulted from the production of petroleum using the cracking process at the Blue Island Refinery into a POTW operated by the MWRDGC. Throughout this period, the Facility was subject to the Pretreatment Standards for Existing Sources contained in Subpart B of the Petroleum Refinery Point Source Category regulations, 40 C.F.R. Part 419.

Answer to Paragraph No. 65:

The allegations of the first sentence are too vague and unspecific for Clark to admit or deny, except that Clark admits that it discharged pretreated process wastewater from the cracking process at the Blue Island Refinery into a POTW operated by the MWRDGC. Clark admits the allegations of the second sentence.

Paragraph No. 66 Alleges:

On June 30, 1994, MWRDGC issued Discharge Authorization ("DA") 13468-1 to Clark. DA 13468-1 had an effective date of June 30, 1994 and an expiration date of June 29, 1997, which was administratively extended to December 29, 1997. DA 13468-1 incorporates the federal categorical requirements and the local limits applicable to Clark. DA 13468-1 contains effluent limitations for discharges at Outlets 1A and 3A.

Answer to Paragraph No. 66:

Admitted.

Paragraph No. 67 Alleges:

Pursuant to 40 C.F.R. § 403.12(e), Industrial Users subject to categorical pretreatment standards are required to submit to the Control Authority, on a periodic basis, reports known as "Continued Compliance Reports," which include information on the nature and concentration of pollutants discharged. Pursuant to 40 C.F.R. § 403.12(e) and the MWRDGC Ordinance, Clark was required to submit such Continued Compliance Reports to MWRDGC in June and December of each year.

Answer to Paragraph No. 67:

With respect to the allegations of the first sentence, Clark refers to the cited regulation and Ordinance for their terms and denies any inaccurate or incomplete characterization thereof. Clark admits the allegations of the second sentence.

Paragraph No. 68 Alleges:

Section F(1) of DA 13468-1 provides that Clark must report all violations identified as a result of self monitoring to MWRDGC by telephone within 24 hours of the time Clark becomes aware of such violation. In addition, 40 C.F.R. § 403.12(g)(2) provides that if sampling performed by an Industrial User indicates a violation of an effluent standard, the Industrial User must notify the Control Authority within 24 hours of becoming aware of a violation.

Answer to Paragraph No. 68:

Clark refers to the cited discharge authorization and regulation for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 69 Alleges:

Section F(2) of DA 13468-1 provides that Clark must submit all self-monitoring discharge analytical data to the Director of MWRDGC's Research and Development Department. In addition, 40 C.F.R. § 403.12(g)(5) provides that if an Industrial User subject to the reporting requirements in 40 C.F.R. § 403.12(e) monitors any pollutant more frequently than required by the Control Authority, the results of the monitoring must be included in the report, regardless of whether or not the data is in addition to the minimum reporting requirements.

Answer to Paragraph No. 69:

Clark refers to the cited discharge authorization and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 70 Alleges:

Pursuant to 40 C.F.R. § 403.12(d), within 90 days of the deadline for final compliance with a categorical pretreatment standard, each Industrial User subject to such standard is required to submit to the Control Authority a report, known as a "Final Compliance Report," containing the information set forth in 40 C.F.R. § 403.12(b)(4)-(6). 40 C.F.R. § 403.12(b)(6) requires the Industrial User to include a statement, reviewed by an authorized representative of the Industrial User and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance and or additional pretreatment is required for the Industrial User to meet the Pretreatment Standards.

Answer to Paragraph No. 70:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 71 Alleges:

The MWRDGC Ordinance and DA 13468-1 require each Industrial User to include in each Continued Compliance Report a statement, reviewed by an authorized representative of the Industrial User and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance and or additional pretreatment is required for the Industrial User to meet the Pretreatment Standards.

Answer to Paragraph No. 71:

Clark refers to the cited Ordinance and discharge authorization for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 72 Alleges:

Section C, Item 4 of DA 13468-1 requires each Industrial User subject to the terms and conditions of the Ordinance to install and maintain, at its own expense, pretreatment facilities adequate to prevent a violation of the pollutant concentration limits, discharge prohibitions, or performance criteria of the Ordinance.

Answer to Paragraph No. 72:

Clark refers to the cited Ordinance and discharge authorization for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 73 Alleges:

Clark is, and at all pertinent times has been, an "Industrial User" of a POTW under the jurisdiction of the MWRDGC, within the meaning of Section 502(18) of the CWA, 33 U.S.C. § 1362(18), 40 C.F.R. § 403.3(h), and Article II of the MWRDGC Ordinance. Clark also is, and at all pertinent times has been, a "Significant Industrial User" of a POTW, within the meaning of 40 C.F.R. § 403.3(t).

Answer to Paragraph No. 73:

Clark admits that it is an "Industrial User" and a "Significant Industrial User" of a POTW, but lacks sufficient information to admit or deny the remaining allegations of the paragraph.

Paragraph No. 74 Alleges:

40 C.F.R. § 403.17(d) prohibits, except in limited circumstances not relevant to this complaint, the intentional diversion of waste streams from any portion of an Industrial User's treatment facility, known as a "bypass."

Answer to Paragraph No. 74:

Clark refers to the cited regulation for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 75 Alleges:

40 C.F.R. § 403.17(c) requires an Industrial User to submit prior notice of the need to bypass the wastewater treatment facility to the Control Authority if the Industrial User knows in advance of the need for a bypass.

Answer to Paragraph No. 75:

Clark refers to the cited regulation for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 76 Alleges:

Clark is an owner or operator of a source that is subject to an effluent standard or prohibition or pretreatment standard under Section 307 of the CWA, within the meaning of Section 307(d) of the CWA, 33 U.S.C. § 1317(d).

Answer to Paragraph No. 76:

Admitted.

Paragraph No. 77 Alleges:

Section 309(a)(3), (b), and (d) of the CWA, 33 U.S.C. § 1319(a)(3), (b), and (d), authorizes the United States to commence an action for appropriate relief, including a permanent or temporary injunction and civil penalties not to exceed \$25,000 per day for each violation, when any person is in violation of the pretreatment requirements under Section 307 of the CWA, 33 U.S.C. § 1317, including any violation of local limits established pursuant to 40 C.F.R. § 403.5(c) and federal categorical limits established pursuant to 40 C.F.R. Part 419. Pursuant to Pub. L. 104-134 and 61 Fed. Reg. 69,360, civil penalties of up to \$27,500 per day for each violation may be assessed for violations occurring on or after January 30, 1997.

Answer to Paragraph No. 77:

Clark refers to the cited statutes for their terms and denies any inaccurate or incomplete characterization thereof.

Clean Water Act
Discharges of Oil or Hazardous Substances

Paragraph No. 78 Alleges:

Section 311(b)(3) of the CWA, 33 U.S.C. § 1321(b)(3), prohibits the discharge of oil or hazardous substances into or upon the navigable waters of the United States or adjoining shorelines in such quantities that have been determined may be harmful to the public health or welfare or environment of the United States.

Answer to Paragraph No. 78:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 79 Alleges:

Section 311(b)(5) of the CWA, 33 U.S.C. §1321(b)(5), requires any person in charge of a vessel or facility that discharges oil or hazardous substances in violation of Section 311(b)(3) of the CWA, 33 U.S.C. § 1321(b)(3), to immediately notify the appropriate agency of the United States government of such discharge.

Answer to Paragraph No. 79:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 80 Alleges:

U.S. EPA has promulgated regulations implementing Section 311(b)(3) and (b)(5) of the CWA, 33 U.S.C. § 1321(b)(3) and (b)(5), at 40 C.F.R. Part 110.

Answer to Paragraph No. 80:

Admitted.

Paragraph No. 81 Alleges:

40 C.F.R. § 110.3 provides that for the purposes of Section 311(b)(3) of the CWA, 33 U.S.C. § 1321(b)(3), discharges of oil that may be harmful to the public health or welfare of the United States include, inter alia, discharges of oil that violate applicable water quality standards or cause a film or sheen upon or discoloration of the water or adjoining shorelines.

Answer to Paragraph No. 81:

Clark refers to the cited statute and regulation for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 82 Alleges:

40 C.F.R. § 110.10 provides that the notification of a prohibited discharge required by Section 311(b)(5) of the CWA, 33 U.S.C. § 1321(b)(5), must be made to the National Response Center.

Answer to Paragraph No. 82:

Clark refers to the cited statute and regulation for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 83 Alleges:

Section 311(j)(1)(C) of the CWA, 33 U.S.C. § 1321(j)(1)(C), provides that the President shall issue regulations establishing procedures, methods, and equipment and other requirements for equipment to prevent discharges of oil and hazardous substances from vessels and from onshore facilities and offshore facilities, and to contain such discharges.

Answer to Paragraph No. 83:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 84 Alleges:

U.S. EPA has promulgated regulations implementing Section 311(j)(1)(C) of the CWA, 33 U.S.C. § 1321(j)(1)(C), at 40 C.F.R. Part 112, including regulations requiring non-transportation related onshore and offshore facilities to prepare, implement and maintain Spill Prevention Control and Countermeasures ("SPCC") plans.

Answer to Paragraph No. 84:

Clark admits that U.S. EPA has promulgated the referenced regulations, refers to the regulations for their terms, and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 85 Alleges:

The Blue Island Refinery is an "onshore" facility as defined in Section 311(a)(11) of the CWA, 33 U.S.C. § 1321(a)(11), and 40 C.F.R. § 112.2. The Facility is "non-transportation related" under the definition incorporated by reference at 40 C.F.R. § 112.2 and 40 C.F.R. Part 112, Appendix A.

Answer to Paragraph No. 85:

Admitted.

Paragraph No. 86 Alleges:

40 C.F.R. § 112.3 provides that owners and operators of facilities that have discharged, or because of their location could reasonably be expected to discharge, oil in harmful quantities into the navigable waters of the United States to prepare a Spill Prevention and Countermeasures Plan ("SPCC Plan"). 40 C.F.R. § 112.3(e) provides that owners and operators for which an SPCC Plan is required to maintain a complete copy of the SPCC Plan at the facility if the facility is normally attended at least eight hours per day, and shall make the SPCC Plan available to the Regional Administrator for on-site review during normal working hours.

Answer to Paragraph No. 86:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 87 Alleges:

Clark has discharged, or because of its location could reasonably be expected to discharge, oil in harmful quantities into the navigable waters of the United States.

Answer to Paragraph No. 87:

Denied.

Paragraph No. 88 Alleges:

Clark's Blue Island Refinery is normally attended at least eight hours per day.

Answer to Paragraph No. 88:

Admitted.

Paragraph No. 89 Alleges:

40 C.F.R. § 112.7 provides that if the SPCC Plan calls for additional facilities or procedures, methods, or equipment not yet fully operational, these items should be discussed in separate paragraphs, and the details of installation and operational start-up should be explained separately. 40 C.F.R. § 112.5(a) provides that owners and operators of subject facilities must amend their SPCC Plan when there is a change in facility design, construction, operation, or maintenance, and fully implement the SPCC plan as soon as possible, but not later than six months after the change occurs.

Answer to Paragraph No. 89:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 90 Alleges:

40 C.F.R. § 112.5(b) provides that owners and operators of facilities that are required to prepare SPCC plans shall complete a review and evaluation of the SPCC Plan at least once every three years from the date the facility becomes subject to 40 C.F.R. Part 112.

Answer to Paragraph No. 90:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 91 Alleges:

40 C.F.R. § 112.4 provides that a facility that has discharged oil in harmful quantities, as defined in 40 C.F.R. Part 110, into or upon the navigable waters of the United States or adjoining shorelines in two spill events, reportable under Section 311(b)(5) of the CWA, 33 U.S.C. § 1321(b)(5), occurring within any twelve month period must submit the information listed in 40 C.F.R. § 112.4(a)(1)-(11) to the Regional Administrator within 60 days of the date the facility becomes subject to this subsection.

Answer to Paragraph No. 91:

Clark refers to the cited statute and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 92 Alleges:

On numerous occasions since at least 1994, including but not limited to March 28, 1994 and May 4, 1994, Clark discharged reportable amounts of oil twice within a twelve month period.

Answer to Paragraph No. 92:

The allegations of this paragraph are too vague and unspecific for Clark to admit or deny them.

Paragraph No. 93 Alleges:

40 C.F.R. § 112.7(e) requires a facility's SPCC Plan to address, inter alia, the following guidelines:

a. 40 C.F.R. § 112.7(e)(2)(ii): all bulk storage tank installations should be constructed so that a secondary means of containment is provided for the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation. In addition, all diked areas should be sufficiently impervious to contain spilled oil.

b. 40 C.F.R. § 112.7(e)(2)(x): visible oil leaks that result in a loss of oil from tank seams, gaskets, rivets and bolts sufficiently large to cause the accumulation of oil in diked areas should be promptly corrected.

c. 40 C.F.R. § 112.7(e)(2)(xi): mobile or portable oil storage tanks should be positioned or located so as to prevent spilled oil from reaching navigable waters. This section further requires that a secondary means of containment, such as dikes or catchment basins, should be furnished for the largest single compartment or tank and that these facilities should be located where they will not be subject to periodic flooding or washout.

d. 40 C.F.R. § 112.7(e)(3)(iii): pipe supports should be properly designed to minimize abrasion and corrosion and allow for expansion and contraction.

e. 40 C.F.R. § 112.7(e)(3)(v): vehicular traffic granted entry into the facility should be warned verbally or by appropriate signs to ensure that the vehicle, because of its size, will not endanger above ground piping.

Answer to Paragraph No. 93:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 94 Alleges:

Pursuant to Section 311(b)(7) and (e)(2) of the CWA, 33 U.S.C. § 1321(b)(7), U.S. EPA may commence a civil action for civil penalties of up to \$1,000 per barrel of oil or unit of

reportable quantity of hazardous substances discharged or \$25,000 per day for each violation of Section 311(b)(3) of the CWA, 33 U.S.C. § 1321(b)(3), and for civil penalties of up to \$25,000 per day of violation of any regulation issued under Section 311(j) of the CWA, 33 U.S.C. § 1321(j). Pursuant to Pub. L. 104-134 and 61 Fed. Reg. 69,360, civil penalties of up to \$27,500 per day for each violation may be assessed for violations occurring on or after January 30, 1997.

Answer to Paragraph No. 94:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Resource Conservation and Recovery Act

Paragraph No. 95 Alleges:

RCRA establishes a comprehensive statutory scheme for the management of hazardous wastes from their initial generation until their final disposal. Regulations promulgated pursuant to RCRA regulate generators of hazardous wastes, as well as owners and operators of facilities that treat, store, or dispose of hazardous wastes ("TSD facilities"). The federal regulations implementing RCRA are codified at 40 C.F.R. Part 260 et seq.

Answer to Paragraph No. 95:

Clark admits the allegations of this paragraph, except that Clark states that the characterization of the statutory scheme as "comprehensive" depends upon context and therefore cannot be admitted or denied.

Paragraph No 96 Alleges:

Clark is the owner and operator of a "facility" within the meaning of 35 I.A.C. § 720.110.

Answer to Paragraph No. 96:

Denied.

Paragraph No 97 Alleges:

Under Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), and 40 C.F.R. Part 271, any state may apply for and receive authorization to enforce its own hazardous waste management program in place of the federal hazardous waste management program described in the preceding

paragraph, provided the state requirements are consistent with and equivalent to the federal requirements. To the extent that the state hazardous waste program is authorized by U.S. EPA pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926, the requirements of the state program are effective in lieu of the federal hazardous waste management program set forth in 40 C.F.R. Part 260 et seq.

Answer to Paragraph No. 97:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 98 Alleges:

Illinois has promulgated hazardous waste management regulations at 35 I.A.C. Part 700 et seq., and received authorization from U.S. EPA on January 31, 1986, to administer various aspects of the hazardous waste management program within Illinois.

Answer to Paragraph No. 98:

Admitted.

Paragraph No. 99 Alleges:

Generators of hazardous waste are subject to the regulations codified at 35 I.A.C. Part 722.

Answer to Paragraph No. 99:

Admitted.

Paragraph No. 100 Alleges:

From at least 1980 to the present, Clark has generated at its Facility hazardous wastes within the meaning of 35 I.A.C. Part 721 and 40 C.F.R. Part 261. Clark is therefore subject to the regulations applicable to generators of hazardous waste set forth in 35 I.A.C. Part 722.

Answer to Paragraph No. 100:

Clark denies the allegations of the first sentence. Clark admits that it generates and has generated hazardous waste at the Blue Island Refinery and is subject to applicable provisions of 35 I.A.C. Part 722.

Paragraph No. 101 Alleges:

35 I.A.C. § 722.134(a)(1) and 725.273 require that containers holding hazardous waste be kept closed at all times, except when waste is being added or removed.

Answer to Paragraph No. 101:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 102 Alleges:

35 I.A.C. § 722.134(a)(2) requires that a generator of hazardous waste who accumulates hazardous waste on-site in containers clearly mark each such container with the date upon which each period of accumulation begins.

Answer to Paragraph No. 102:

Clark refers to the cited regulation for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 103 Alleges:

35 I.A.C. § 722.134(a)(3) requires that a generator of hazardous waste who accumulates hazardous waste on-site in containers or tanks must clearly label or mark each such container or tank with the words, "Hazardous Waste."

Answer to Paragraph No. 103:

Clark refers to the cited regulation for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 104 Alleges:

35 I.A.C. § 728.107 requires generators of waste restricted from land disposal under 35 I.A.C. Part 728, when shipping such waste off-site, to send to the TSD facility receiving the waste a written notice that includes the following information: the U.S. EPA hazardous waste number; the appropriate treatment standards; the manifest number associated with the shipment of waste; and waste analysis data. The generator must retain on-site a copy of all such notifications as required in the regulations.

Answer to Paragraph No. 104:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 105 Alleges:

35 I.A.C. § 725.131, as referenced by 35 I.A.C. § 722.134(a)(4), requires generators of hazardous waste to maintain and operate their facilities to minimize the possibility of a fire, explosion or any unplanned release of hazardous waste or hazardous waste constituents to air, soil or surface water that could threaten human health or the environment.

Answer to Paragraph No. 105:

Clark refers to the cited regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 106 Alleges:

40 C.F.R. § 265.1084(a)(2) requires a generator of hazardous waste to determine the average volatile organic ("VO") concentration of a hazardous waste at the point of waste origination using either direct measurement or by knowledge.

Answer to Paragraph No. 106:

Clark refers to the cited regulation for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 107 Alleges:

Section 3005(a) of RCRA, 42 U.S.C. § 6925(a), and 35 I.A.C. Part 703 generally prohibit the operation of a TSD facility or hazardous waste management unit ("HWMU") except in accordance with a permit issued pursuant to RCRA, unless the facility has interim status. 35 I.A.C. § 703.121 specifically prohibits hazardous waste treatment, hazardous waste storage, or hazardous waste disposal without a RCRA permit for a hazardous waste management facility.

Answer to Paragraph No. 107:

Clark refers to the cited statute and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 108 Alleges:

Section 3005(e) of RCRA, 42 U.S.C. § 6925(e), 40 C.F.R. § 270.70, and 35 I.A.C. § 703.153 provide that a TSD facility in existence on November 19, 1980, that has not yet received a RCRA permit, may obtain interim status by (1) filing a timely notice that the facility is treating, storing, or disposing of hazardous waste pursuant to Section 3010 of RCRA, 42 U.S.C. § 6930, and (2) filing a timely Part A application pursuant to Section 3005 of RCRA, 42 U.S.C. § 6925, 40 C.F.R. § 270.10, and 35 I.A.C. §§ 703.150 and 703.152.

Answer to Paragraph No. 108:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 109 Alleges:

Clark submitted a permit application to operate as a TSD facility at the Blue Island Refinery to IEPA signed November 17, 1980. On February 18, 1988, Clark requested a withdrawal of its TSD permit and a return to generator status. IEPA approved the withdrawal request on February 18, 1994.

Answer to Paragraph No. 109:

Admitted.

Paragraph No. 110 Alleges:

Pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. § 6928(a)(2), the United States is authorized, upon notification to the State of Illinois, to enforce the regulations which comprise the federally approved Illinois hazardous waste management program.

Answer to Paragraph No. 110:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 111 Alleges:

Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), provides that when any person has violated or is in violation of any requirement of RCRA, including provisions of a federally approved state hazardous waste management program, the Administrator of U.S. EPA may commence a civil action in district court for appropriate relief, including a temporary or permanent injunction.

Answer to Paragraph No. 111:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 112 Alleges:

Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), provides that any person who violates a requirement of RCRA shall be liable for a civil penalty of up to \$25,000 per day for each violation. Pursuant to Pub. L. 104-134 and 61 Fed. Reg. 69,360, civil penalties of up to \$27,500 per day for each violation may be assessed for violations occurring on or after January 30, 1997.

Answer to Paragraph No. 112:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

**Comprehensive Environmental Response,
Compensation and Liability Act**

Paragraph No. 113 Alleges:

Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), requires a person in charge of a facility to immediately notify the National Response Center of a release of a hazardous substance from such facility in an amount equal to or greater than the amount determined pursuant to Section 102 of CERCLA, 42 U.S.C. § 9602 (the "reportable quantity").

Answer to Paragraph No. 113:

Clark refers to the cited statutes for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 114 Alleges:

Section 109(c)(1) of CERCLA, 42 U.S.C. § 9609(c)(1), provides that any person who violates the notice requirements of Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), shall be liable to the United States for civil penalties in an amount not to exceed \$25,000 per day for each day the violation continues, and in an amount not to exceed \$75,000 per day for each day that any second or subsequent violation continues. Pursuant to Pub. L. 104-134 and 61 Fed. Reg. 69,360, civil penalties of up to \$27,500 per day for the first violation and \$82,500 per day for any second or subsequent violations, may be assessed for violations occurring on or after January 30, 1997.

Answer to Paragraph No. 114:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

Emergency Planning and Community Right-to-Know Act

Paragraph No. 115 Alleges:

Section 304(a) of EPCRA, 42 U.S.C. § 11004(a), requires the owner and operator of a facility at which a hazardous chemical is produced, used, or stored, to immediately notify the State Emergency Response Commission ("SERC") and the Local Emergency Planning Committee ("LEPC") of certain specified releases of a hazardous or extremely hazardous substance.

Answer to Paragraph No. 115:

Clark refers to the cited statute for its terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 116 Alleges:

Section 304(c) of EPCRA, 42 U.S.C. § 11004(c), requires that, as soon as practicable after a release which requires notice under Section 304(a) of EPCRA, 42 U.S.C. § 11004(a), the owner or operator shall provide a written follow-up emergency notice providing certain specified additional information.

Answer to Paragraph No. 116:

Clark refers to the cited statutes for their terms and denies any inaccurate or incomplete characterization thereof.

Paragraph No. 117 Alleges:

Section 325(b)(3) of EPCRA, 42 U.S.C. § 11045(b)(3), provides that any person who violates any requirement of Section 304 of EPCRA, 42 U.S.C. § 11004, shall be liable to the United States for civil penalties in an amount not to exceed \$25,000 per day for each day the violation continues, and in an amount not to exceed \$75,000 per day for each day that any second or subsequent violation continues. Pursuant to Pub. L. 104-134 and 61 Fed. Reg. 69,360, civil penalties of up to \$27,500 per day for the first violation, and \$82,500 per day for any second or subsequent violations, may be assessed for violations occurring on or after January 30, 1997.

Answer to Paragraph No. 117:

Clark refers to the cited statutes and regulations for their terms and denies any inaccurate or incomplete characterization thereof.

**FIRST CLAIM FOR RELIEF
(CAA/NESHAP)
Failure To Manage and Treat Wastes**

Paragraph No. 118 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 above.

Answer to Paragraph No. 118:

Clark realleges its answers to paragraph 1 through 45 above as if fully set forth herein.

Paragraph No. 119 Alleges:

Since April 5, 1993, Clark has failed to manage and treat the Blue Island Refinery's waste pursuant to the requirements of 40 C.F.R. §§ 61.342(c)-(e), as required by 40 C.F.R. § 61.342(b).

Answer to Paragraph No. 119:

Clark denies that it meets the criteria which would subject it to the cited requirements.

Paragraph No. 120 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 61.342(b) of the Benzene Waste Operations NESHAP and of the CAA.

Answer to Paragraph No. 120:

Denied.

Paragraph No. 121 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the Benzene Waste Operations NESHAP and the CAA.

Answer to Paragraph No. 121:

Denied.

Paragraph No. 122 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 122:

Denied.

**SECOND CLAIM FOR RELIEF
(CAA/NESHAP)**

Failure To Determine Annual Benzene Quantity for Each Waste Stream

Paragraph No. 123 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 122, above.

Answer to Paragraph No. 123:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 122 above as if fully set forth herein.

Paragraph No. 124 Alleges:

Since April 5, 1993, Clark has failed to calculate the annual benzene quantity for each waste stream that has a flow-weighted annual average water content greater than 10 percent.

Answer to Paragraph No. 124:

Denied.

Paragraph No. 125 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 61.355(a)(1) of the Benzene Waste Operations NESHAP and of the CAA.

Answer to Paragraph No. 125:

Denied.

Paragraph No. 126 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the Benzene Waste Operations NESHAP and the CAA.

Answer to Paragraph No. 126:

Denied.

Paragraph No. 127 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 127:

Denied.

THIRD CLAIM FOR RELIEF
(CAA/NESHAP)
Failure To Report Annual Benzene Quantity for Each Covered Waste Stream

Paragraph No. 128 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 127, above.

Answer to Paragraph No. 128:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 127 above as if fully set forth herein.

Paragraph No. 129 Alleges:

Since April 5, 1993, Clark has failed to identify each benzene waste stream having a flow-weighted annual average water content greater than 10 percent in its reports submitted pursuant to 40 C.F.R. § 61.357. As a result, Clark has failed since at least 1993 to report accurately the total annual benzene quantity from the Blue Island Refinery's waste.

Answer to Paragraph No. 129:

Denied.

Paragraph No. 130 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 61.357(a) of the Benzene Waste Operations NESHAP and of the CAA.

Answer to Paragraph No. 130:

Denied.

Paragraph No. 131 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the Benzene Waste Operations NESHAP and the CAA.

Answer to Paragraph No. 131:

Denied.

Paragraph No. 132 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day of each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 132:

Denied.

**FOURTH CLAIM FOR RELIEF
(CAA/NESHAP)
Failure To Maintain Records**

Paragraph No. 133 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 132, above.

Answer to Paragraph No. 133:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 132 above as if fully set forth herein.

Paragraph No. 134 Alleges:

Since April 5, 1993, Clark has failed to maintain certain records for each waste stream not controlled for benzene emissions in accordance with Subpart FF including, inter alia, all test results, measurements, calculations, and specified other documentation regarding each waste stream and each waste stream's benzene content.

Answer to Paragraph No. 134:

Denied.

Paragraph No. 135 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 61.356(b)(1) of the Benzene Waste Operations NESHAP and of the CAA.

Answer to Paragraph No. 135:

Denied.

Paragraph No. 136 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the Benzene Waste Operations NESHAP and the CAA.

Answer to Paragraph No. 136:

Denied.

Paragraph No. 137 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 137:

Denied.

**FIFTH CLAIM FOR RELIEF
(CAA/NESHAP)
Late Submission of Annual Reports**

Paragraph No. 138 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 137, above.

Answer to Paragraph No. 138:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 137 above as if fully set forth herein.

Paragraph No. 139 Alleges:

Clark submitted its initial report required by 40 C.F.R. § 61.357 on April 5, 1993. Thereafter, Clark submitted its annual reports required by 40 C.F.R. § 61.357 on June 1, 1994, January 18, 1995, and March 12, 1996.

Answer to Paragraph No. 139:

Admitted.

Paragraph No. 140 Alleges:

Clark's 1994 report was submitted 57 days late. Clark's 1996 report was submitted 53 days late.

Answer to Paragraph No. 140:

Denied.

Paragraph No. 141 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 61.357 of the Benzene Waste Operations NESHAP and of the CAA.

Answer to Paragraph No. 141:

Denied.

Paragraph No. 142 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Clark is liable for a civil penalty of up to \$25,000 per day for each violation of the CAA.

Answer to Paragraph No. 142:

Clark refers to the cited statute for its terms and denies any mischaracterization thereof.

SIXTH CLAIM FOR RELIEF
(CAA/NESHAP)
Failure To Submit Equipment Certification and Performance Reports

Paragraph No. 143 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 142, above.

Answer to Paragraph No. 143:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 142 above as if fully set forth herein.

Paragraph No. 144 Alleges:

Since April 5, 1993, Clark has failed to submit the equipment certification and performance reports required by 40 C.F.R. § 61.357(d)(1), (d)(7) and (d)(8).

Answer to Paragraph No. 144:

Denied.

Paragraph No. 145 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 61.357(d) of the Benzene Waste Operations NESHAP and of the CAA.

Answer to Paragraph No. 145:

Denied.

Paragraph No. 146 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the Benzene Waste Operations NESHAP and the CAA.

Answer to Paragraph No. 146:

Denied.

Paragraph No. 147 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 147:

Denied.

**SEVENTH CLAIM FOR RELIEF
(CAA/NSPS)
Exceedance of Emission Limit**

Paragraph No. 148 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 147, above.

Answer to Paragraph No. 148:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 147 above as if fully set forth herein.

Paragraph No. 149 Alleges:

From at least February 24, 1995 to at least July 12, 1996, Clark discharged in excess of 250 ppm by volume (dry basis) of SO₂ at zero percent excess air.

Answer to Paragraph No. 149:

Because this allegation is vague and unspecific Clark is unable to admit or deny it.

Paragraph No. 150 Alleges:

On numerous occasions from at least October 4, 1994 to at least September 1, 1997, Clark discharged in excess of 10 ppm by volume of hydrogen sulfide from its Claus sulfur recovery plant, calculated as ppm SO₂ by volume (dry basis) at zero percent excess air.

Answer to Paragraph No. 150:

Denied.

Paragraph No. 151 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 60.104(a)(2) of the NSPS and of the CAA.

Answer to Paragraph No. 151:

Denied.

Paragraph No. 152 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the NSPS and the CAA.

Answer to Paragraph No. 152:

Denied.

Paragraph No. 153 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 153:

Denied.

**EIGHTH CLAIM FOR RELIEF
(CAA/NSPS)**

Failure to Operate and Maintain Affected Facility

Paragraph No. 154 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 153, above.

Answer to Paragraph No. 154:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 153 above as if fully set forth herein.

Paragraph No. 155 Alleges:

From at least February 24, 1995 to at least July 12, 1996, Clark operated the Claus sulfur recovery plant while the Stretford unit was not operating, and therefore failed to maintain and operate its Claus sulfur recovery plant, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions.

Answer to Paragraph No. 155:

Denied.

Paragraph No. 156 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 60.11(d) of the NSPS and of the CAA.

Answer to Paragraph No. 156:

Denied.

Paragraph No. 157 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the NSPS and the CAA.

Answer to Paragraph No. 157:

Denied.

Paragraph No. 158 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 158:

Denied.

NINTH CLAIM FOR RELIEF
(CAA/NSPS)
Failure to Install and Operate a CEMS for Claus Sulfur Recovery Plant

Paragraph No. 159 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 158, above.

Answer to Paragraph No. 159:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 158 above as if fully set forth herein.

Paragraph No. 160 Alleges:

Since at least 1993, Clark has failed to install, calibrate, maintain, and operate a CEMS for measuring and recording the concentration of reduced sulfur and O₂ emissions into the atmosphere from each Claus sulfur recovery plant effluent point.

Answer to Paragraph No. 160:

Clark states that it has not installed, calibrated, maintained, and operated the CEMS referred to in this paragraph, but Clark denies that it had or has an obligation to do so.

Paragraph No. 161 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. §§ 60.105(a)(6) and 60.13(g) of the NSPS and of the CAA.

Answer to Paragraph No. 161:

Denied.

Paragraph No. 162 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the NSPS and the CAA.

Answer to Paragraph No. 162:

Denied.

Paragraph No. 163 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 163:

Denied.

**TENTH CLAIM FOR RELIEF
(CAA/NSPS)
Failure to Submit Excess Emissions Reports**

Paragraph No. 164 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 163, above.

Answer to Paragraph No. 164:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 163 above as if fully set forth herein.

Paragraph No. 165 Alleges:

Since at least 1993, Clark has failed to submit to U.S. EPA excess emission and monitoring system performance reports for its Claus sulfur recovery plant that identify periods of emissions in excess of certain emissions requirements as specified in 40 C.F.R. §§ 60.7(c) and 60.105(a)(4).

Answer to Paragraph No. 165:

Clark states that it has not submitted the referenced reports, but Clark denies that it had or has an obligation to submit such reports.

Paragraph No. 166 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 60.7(c) of the NSPS and of the CAA.

Answer to Paragraph No. 166:

Denied.

Paragraph No. 167 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the NSPS and the CAA.

Answer to Paragraph No. 167:

Denied.

Paragraph No. 168 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 168:

Denied.

**ELEVENTH CLAIM FOR RELIEF
(CAA/NSPS)
Failure to Conduct Emissions Test**

Paragraph No. 169 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 168, above.

Answer to Paragraph No. 169:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 168 above as if fully set forth herein.

Paragraph No. 170 Alleges:

Since at least 1993, Clark has failed to conduct a performance test as required in 40 C.F.R. § 60.8(a).

Answer to Paragraph No. 170:

Clark states that it has not conducted the referenced performance test, but Clark denies that it had or has an obligation to perform such test.

Paragraph No. 171 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 60.8(a) of the NSPS and of the CAA.

Answer to Paragraph No. 171:

Denied.

Paragraph No. 172 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the NSPS and the CAA.

Answer to Paragraph No. 172:

Denied.

Paragraph No. 173 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 173:

Denied.

**TWELFTH CLAIM FOR RELIEF
(CAA/SIP)
Components Not Identified**

Paragraph No. 174 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 173, above.

Answer to Paragraph No. 174:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 173 above as if fully set forth herein.

Paragraph No. 175 Alleges:

From at least September 19 to 22, 1995, Clark failed to identify each component of the Blue Island Refinery that is subject to leak monitoring. Specifically, on an inspection conducted from September 19 to 22, 1995, Clark failed to identify 928 components that were subject to leak monitoring.

Answer to Paragraph No. 175:

The allegations of the first sentence are too vague and unspecific for Clark to admit or deny them, but to the extent Clark understands them, they are denied. The allegations of the second sentence are too vague and unspecific for Clark to admit or deny them, but to the extent Clark understands them, Clark lacks sufficient information to admit or deny them.

Paragraph No. 176 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 35 I.A.C. § 218.445(d), the Illinois SIP, and the CAA.

Answer to Paragraph No. 176:

Denied.

Paragraph No. 177 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Clark is liable for a civil penalty of up to \$25,000 per day for each violation of the CAA.

Answer to Paragraph No. 177:

Denied.

THIRTEENTH CLAIM FOR RELIEF
(CAA/SIP)
Failure To Identify Components in Monitoring Program

Paragraph No. 178 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 177, above.

Answer to Paragraph No. 178:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 177 above as if fully set forth herein.

Paragraph No. 179 Alleges:

From September 1994 to at least October 1995, Clark did not identify all refinery components and the period in which each were to be monitored in its monitoring program.

Answer to Paragraph No. 179:

The allegations of the paragraph are too vague and unspecific for Clark to admit or deny them, but to the extent Clark understands them, they are denied.

Paragraph No. 180 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 35 I.A.C. § 218.446(a), the Illinois SIP, and the CAA.

Answer to Paragraph No. 180:

Denied.

Paragraph No. 181 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Clark is liable for a civil penalty of up to \$25,000 per day for each violation of the CAA.

Answer to Paragraph No. 181:

Denied.

FOURTEENTH CLAIM FOR RELIEF
(CAA/SIP)
Incorrect Calibration Gas Setting

Paragraph No. 182 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 181, above.

Answer to Paragraph No. 182:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 181 above as if fully set forth herein.

Paragraph No. 183 Alleges:

On numerous occasions prior to September 18, 1995, Clark set calibration gases at zero air and a mixture of n-hexane and air at a concentration of 500 ppm n-hexane.

Answer to Paragraph No. 183:

Clark admits that on more than one occasion prior to September 18, 1995, it set calibration gases at zero air and a mixture of n-hexane and air at a concentration of 500 ppm n-hexane, but because this allegation is vague and unspecific, Clark is unable to admit it or deny it.

Paragraph No. 184 Alleges:

The acts or omissions referred to in the preceding paragraph constitute a violation of 35 I.A.C. § 218.447(a), the Illinois SIP, and the CAA.

Answer to Paragraph No. 184:

Because the allegations of paragraph 183 are vague and unspecific, Clark is unable to admit or deny the allegations of this paragraph.

Paragraph No. 185 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Clark is liable for a civil penalty of up to \$25,000 per day for each violation for its violation of the CAA.

Answer to Paragraph No. 185:

Denied.

FIFTEENTH CLAIM FOR RELIEF
(CAA/SIP)
Failure To Test Quarterly

Paragraph No. 186 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 45 and 118 through 185, above.

Answer to Paragraph No. 186:

Clark realleges its answers to paragraphs 1 through 45 and 118 through 185 above as if fully set forth herein.

Paragraph No. 187 Alleges:

Since at least 1995, Clark has failed to test once each calendar quarter, by the method referenced in 35 I.A.C. § 218.105(g), numerous pressure relief valves in gaseous service, pipeline valves in gaseous service and compressor seals.

Answer to Paragraph No. 187:

Clark admits that in certain calendar quarters it did not use the referenced method to test certain components, but because this allegation is vague and unspecific, Clark is unable to admit it or deny it.

Paragraph No. 188 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 35 I.A.C. § 218.447(a)(2), the Illinois SIP, and the CAA.

Answer to Paragraph No. 188:

Because the allegation of paragraph 187 are vague and unspecific, Clark is unable to admit or deny the allegations of this paragraph.

Paragraph No. 189 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate 35 I.A.C. § 218.447(a)(2), the Illinois SIP, and the CAA.

Answer to Paragraph No. 189:

Denied.

Paragraph No. 190 Alleges:

Pursuant to Section 113(b) of the CAA, 42 U.S.C. § 7413(b), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 190:

Denied.

**SIXTEENTH CLAIM FOR RELIEF
(CWA)**

Discharge of Pollutants Without an NPDES Permit

Paragraph No. 191 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7 and 46 through 94, above.

Answer to Paragraph No. 191:

Clark realleges its answers to paragraphs 1 through 7 and 46 through 94 above as if fully set forth herein.

Paragraph No. 192 Alleges:

On numerous occasions since at least 1993, Clark has discharged pollutants into the waters of the United States without an NPDES permit issued by U.S. EPA or the State of Illinois.

Answer to Paragraph No. 192:

The allegations of the paragraph are too vague and unspecific for Clark to admit or deny them, but to the extent Clark understands them, Clark admits that it made discharges into waters of the United States on occasions since 1993, and Clark denies the remaining allegations of the paragraph.

Paragraph No. 193 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of the CWA.

Answer to Paragraph No. 193:

Denied.

Paragraph No. 194 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the CWA.

Answer to Paragraph No. 194:

Denied.

Paragraph No. 195 Alleges:

Pursuant to Section 309(b) and (d) of the CWA, 33 U.S.C. § 1319(b) and (d), and Pub. L. 104-134 and 61 Fed. Reg. 69,360 (December 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 195:

Denied.

SEVENTEENTH CLAIM FOR RELIEF
(CWA)
Exceedance of Effluent Limits

Paragraph No. 196 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 195, above.

Answer to Paragraph No. 196:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 195 above as if fully set forth herein.

Paragraph No. 197 Alleges:

Since at least January 18, 1994, Clark has caused or allowed "pollution" or the discharge of "sewage," "industrial waste" or "other wastes" from the Facility into a "sewerage system" under the jurisdiction of the MWRDGC, within the meaning of Article II and Article III, Section 1 of the MWRDGC Ordinance.

Answer to Paragraph No. 197:

Admitted.

Paragraph No. 198 Alleges:

On numerous occasions since at least January 18, 1994, discharges from Clark's Facility to a sewerage system under the jurisdiction of the MWRDGC exceeded the pollutant concentration limits set forth in Section 1 of Appendix B to the MWRDGC Ordinance and the federal categorical pretreatment standards set forth in 40 C.F.R. § 419.25, both of which are set forth in Discharge Authorization ("DA") 13468-1, including criteria or standards applicable to discharges of fats, oils and greases, ammonia, and mercury. In addition, on numerous occasions since at least January 27, 1994, discharges from Clark's Facility to a sewerage system under the jurisdiction of the MWRDGC did not conform to criteria or effluent quality standards in Appendix B of the MWRDGC Ordinance governing the acidity or alkalinity ("pH") of discharges.

Answer to Paragraph No. 198:

Clark admits that on more than one occasion on or after January 18, 1994, discharges from its facility to a sewerage system under the jurisdiction of the MWRDGC exceeded the

referenced pollutant concentration limits and the criteria governing pH, but because this allegation is vague and unspecific Clark is unable to admit or deny it.

Paragraph No. 199 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of DA 13468-1, Article III, Section 1 of the MWRDGC Ordinance, the limits in Appendix B to the Ordinance, 40 C.F.R. §§ 403.5(d) and 419.25, and Section 307(d) of the CWA, 33 U.S.C. § 1317(d).

Answer to Paragraph No. 199:

Because the allegations of paragraph 198 are vague and unspecific, Clark is unable to admit or deny the allegations of this paragraph.

Paragraph No. 200 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate DA 13468-1, Article III, Section 1 of the MWRDGC Ordinance, the limits in Appendix B to the Ordinance, 40 C.F.R. §§ 403.5(d) and 419.25, and the CWA.

Answer to Paragraph No. 200:

Denied.

Paragraph No. 201 Alleges:

Pursuant to Section 309(b) and (d) of the CWA, 33 U.S.C. § 1319(b) and (d), and Pub. L. 104-134 and 61 Fed. Reg. 69,360 (December 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 201:

Denied.

**EIGHTEENTH CLAIM FOR RELIEF
(CWA)
Failure to Maintain Pretreatment Equipment**

Paragraph No. 202 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 201, above.

Answer to Paragraph No. 202:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 201 above as if fully set forth herein.

Paragraph No. 203 Alleges:

Since at least 1994, Clark has failed to install and/or maintain pretreatment facilities, including its dissolved air floatation ("DAF") skimmer and aerator, adequately to prevent violations of pollutant concentration limits.

Answer to Paragraph No. 203:

Denied.

Paragraph No. 204 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of Section C, Item 4 of DA 13468-1 and the CWA.

Answer to Paragraph No. 204:

Denied.

Paragraph No. 205 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate Section C, Item 4 of DA 13468-1 and the CWA.

Answer to Paragraph No. 205:

Denied.

Paragraph No. 206 Alleges:

Pursuant to Section 309(b) and (d) of the CWA, 33 U.S.C. § 1319(b) and (d), and Pub. L. 104-134 and 61 Fed. Reg. 69,360 (December 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 206:

Denied.

**NINETEENTH CLAIM FOR RELIEF
(CWA)
Unpermitted Bypass of Wastewater Treatment Facility**

Paragraph No. 207 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 206, above.

Answer to Paragraph No. 207:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 206 above as if fully set forth herein.

Paragraph No. 208 Alleges:

The wastewater flow system of Clark's treatment facility is designed such that a portion of the Blue Island Refinery's process wastewater can be diverted from the Facility's wastewater treatment system during high flow conditions, such as rain events.

Answer to Paragraph No. 208:

Because the referenced wastewater flow system was installed by a predecessor of Clark, Clark is unable to admit or deny the allegation regarding what the system was designed to do.

Paragraph No. 209 Alleges:

On numerous occasions since at least 1993, Clark has intentionally diverted, or bypassed, untreated process wastewater away from its wastewater treatment system to the MWRDGC.

Answer to Paragraph No. 209:

Clark admits that it has bypassed untreated process wastewater on more than one occasion, but because this allegation is vague and unspecific Clark is unable to admit or deny it.

Paragraph No. 210 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 403.17(d) and the CWA.

Answer to Paragraph No. 210:

Because the allegations of paragraph 209 are vague and unspecific, Clark is unable to admit or deny the allegation of this paragraph.

Paragraph No. 211 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate 40 C.F.R. § 403.17(d) and the CWA.

Answer to Paragraph No. 211:

Denied.

Paragraph No. 212 Alleges:

Pursuant to Section 309(b) and (d) of the CWA, 33 U.S.C. § 1319(b) and (d), and Pub. L. 104-134 and 61 Fed. Reg. 69,360 (December 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 212:

Denied.

TWENTIETH CLAIM FOR RELIEF
(CWA)
Failure to Provide Notice of Bypass of Wastewater Treatment Facility

Paragraph No. 213 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 212, above.

Answer to Paragraph No. 213:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 212 above as if fully set forth herein.

Paragraph No. 214 Alleges:

On numerous occasions since at least 1993, Clark has diverted untreated process wastewater from its wastewater treatment system to MWRDGC without providing notice of the bypass to MWRDGC.

Answer to Paragraph No. 214:

Clark admits that on more than one occasion it has diverted untreated process wastewater from its wastewater treatment system to the MWRDGC without providing notice, but because this allegation is vague and unspecific Clark is unable to admit or deny it.

Paragraph No. 215 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 403.17(c) and the CWA.

Answer to Paragraph No. 215:

Because the allegation of paragraph 214 are vague and unspecific, Clark is unable to admit or deny the allegation of this paragraph.

Paragraph No. 216 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate 40 C.F.R. § 403.17(c) and the CWA.

Answer to Paragraph No. 216:

Denied.

Paragraph No. 217 Alleges:

Pursuant to Section 309(b) and (d) of the CWA, 33 U.S.C. § 1319(b) and (d), and Pub. L. 104-134 and 61 Fed. Reg. 69,360 (December 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 217:

Denied.

**TWENTY-FIRST CLAIM FOR RELIEF
(CWA)**

Standards Relating to Fire, Explosion or Worker Health and Safety

Paragraph No. 218 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 217, above.

Answer to Paragraph No. 218:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 217 above as if fully set forth herein.

Paragraph No. 219 Alleges:

On numerous occasions since 1993, Clark has introduced into a POTW pollutants that create a fire or explosion hazard in the POTW, and/or pollutants that result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

Answer to Paragraph No. 219:

Denied.

Paragraph No. 220 Alleges:

The acts referred to in the preceding paragraph constitute violations of 40 C.F.R. § 403.5(b) and Section 307(d) of the CWA, 33 U.S.C. § 1317(d).

Answer to Paragraph No. 220:

Denied.

Paragraph No. 221 Alleges:

On numerous occasions since at least 1993, discharges from Clark's Facility to a sewerage system under the jurisdiction of the MWRDGC contained liquids, solids and/or gases that by reason of their nature and quantity, were sufficient to cause fire or explosion or be injurious in any other way to the sewerage system or to the operation of water reclamation facilities, or such discharges contained noxious or malodorous liquids, gases or substances sufficient to create a hazard to life, cause injury or prevent entry into the sewer for maintenance or repair.

Answer to Paragraph No. 221:

Denied.

Paragraph No. 222 Alleges:

The acts referred to in the preceding paragraph constitute violations of Appendix B, Section 2 of the MWRDGC Ordinance and Section 307(d) of the CWA, 33 U.S.C. § 1317(d).

Answer to Paragraph No. 222:

Denied.

Paragraph No. 223 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the CWA.

Answer to Paragraph No. 223:

Denied.

Paragraph No. 224 Alleges:

Pursuant to Section 309(b) and (d) of the CWA, 33 U.S.C. § 1319(b) and (d), and Pub. L. 104-134 and 61 Fed. Reg. 69,360 (December 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to

January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 224:

Denied.

**TWENTY-SECOND CLAIM FOR RELIEF
(CWA)
Discharge of Oil into Navigable Waters of the United States**

Paragraph No. 225 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 224, above.

Answer to Paragraph No. 225:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 224 above as if fully set forth herein.

Paragraph No. 226 Alleges:

On numerous occasions since at least 1993, Clark has discharged oil into the navigable waters in such quantities that violate applicable water quality standards or cause a film or sheen upon or discoloration of the water on adjoining shorelines.

Answer to Paragraph No. 226:

Clark admits that on more than one occasion it has discharged oil into navigable water that caused a sheen upon the water, but because this allegation is vague and unspecific Clark is unable to admit or deny it.

Paragraph No. 227 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 110.3 and the CWA.

Answer to Paragraph No. 227:

Because the allegation of paragraph 226 are vague and unspecific, Clark is unable to admit or deny the allegation of this paragraph.

Paragraph No. 228 Alleges:

As a result of Clark's violations of 40 C.F.R. § 110.3 and the CWA, Clark is liable for (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 228:

Denied.

**TWENTY-THIRD CLAIM FOR RELIEF
(CWA)**

Failure to Submit Spill Notifications to the Regional Administrator

Paragraph No. 229 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 228, above.

Answer to Paragraph No. 229:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 228 above as if fully set forth herein.

Paragraph No. 230 Alleges:

On numerous occasions since at least May 4, 1994, Clark has failed to provide spill notifications containing the information listed in 40 C.F.R. § 112.4(a)(1)-(11) to the Regional Administrator.

Answer to Paragraph No. 230:

The allegations of this paragraph are too vague and unspecific to permit Clark to admit or deny them.

Paragraph No. 231 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 112.4 and the CWA.

Answer to Paragraph No. 231:

Denied.

Paragraph No. 232 Alleges:

As a result of Clark's violations of 40 C.F.R. § 112.4 and the CWA, Clark is liable for (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 232:

Denied.

**TWENTY-FOURTH CLAIM FOR RELIEF
(CWA)**

Failure to Maintain a Copy of the SPCC Plan at the Facility

Paragraph No. 233 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 232, above.

Answer to Paragraph No. 233:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 233 above as if fully set forth herein.

Paragraph No. 234 Alleges:

On August 11, 1994, Clark did not maintain a complete copy of its SPCC Plan at the Blue Island Refinery, and the SPCC Plan was not available for on-site review during normal working hours.

Answer to Paragraph No. 234:

Denied.

Paragraph No. 235 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of the 40 C.F.R. § 112.3(e) and the CWA.

Answer to Paragraph No. 235:

Denied.

Paragraph No. 236 Alleges:

As a result of Clark's violations of 40 C.F.R. § 112.3(e) and the CWA, Clark is liable for a civil penalty of up to \$25,000 per day for each violation.

Answer to Paragraph No. 236:

Denied.

**TWENTY-FIFTH CLAIM FOR RELIEF
(CWA)
Failure to Implement the SPCC Plan**

Paragraph No. 237 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 236, above.

Answer to Paragraph No. 237:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 236 above as if fully set forth herein.

Paragraph No. 238 Alleges:

Clark amended its SPCC Plan on or around September 19, 1994.

Answer to Paragraph No. 238:

Admitted.

Paragraph No. 239 Alleges:

Clark's September 19, 1994 SPCC Plan provided that "Clark will investigate secondary containment modifications to provide secondary containment for each tank sufficient to contain the capacity of the largest tank in the containment area plus precipitation. . . . Modifications will be implemented to provide each tank with containment adequate to contain the entire capacity of the tank plus rainfall, or contingency plans will be developed for tanks with containment areas that cannot be modified appropriately." SPCC p. 2-22. Clark's September 19, 1994 SPCC Plan also provided, among other things, that "[p]ipe supports for aboveground installations should be designed to minimize abrasion and corrosion and allow pipe expansion and contraction." SPCC p. 2-34.

Answer to Paragraph No. 239:

Clark admits that the SPCC plan includes the quoted language and Clark refers to the full document for its terms.

Paragraph No. 240 Alleges:

Clark failed to implement the September 19, 1994 SPCC Plan requirements set forth in the previous paragraph within six months of the date the SPCC Plan was amended.

Answer to Paragraph No. 240:

The allegations of this paragraph are too vague and unspecific for Clark to admit or deny them, but to the extent that Clark understands them, they are denied.

Paragraph No. 241 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of the 40 C.F.R. § 112.5 and the CWA.

Answer to Paragraph No. 241:

Denied.

Paragraph No. 242 Alleges:

As a result of Clark's violations of 40 C.F.R. § 112.5 and the CWA, Clark is liable for (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 242:

Denied.

**TWENTY-SIXTH CLAIM FOR RELIEF
(CWA)
Failure to Address SPCC Plan Guidelines**

Paragraph No. 243 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 242, above.

Answer to Paragraph No. 243:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 242 above as if fully set forth herein.

Paragraph No. 244 Alleges:

Since at least September 19, 1994, Clark's SPCC Plan failed to include a complete discussion of conformance with the guideline set forth at 40 C.F.R. § 112.7(e)(2)(ii), specifying that all diked areas should be sufficiently impervious to contain spilled oil.

Answer to Paragraph No. 244:

Denied.

Paragraph No. 245 Alleges:

Since at least September 19, 1994, Clark's SPCC Plan failed to include a complete discussion of conformance with the guideline set forth at 40 C.F.R. § 112.7(e)(2)(x), specifying that visible oil leaks which result in a loss of oil from tank seams, gaskets, rivets, and bolts sufficiently large to cause the accumulation of oil in diked areas should be promptly corrected.

Answer to Paragraph No. 245:

Denied.

Paragraph No. 246 Alleges:

Since at least September 19, 1994, Clark's SPCC Plan failed to include a complete discussion of conformance with the guideline set forth at 40 C.F.R. § 112.7(e)(2)(xi), specifying that mobile or portable oil storage tanks should be positioned or located so as to prevent spilled oil from reaching navigable waters and that a secondary means of containment should be furnished for the largest single compartment or tank.

Answer to Paragraph No. 246:

Denied.

Paragraph No. 247 Alleges:

Since at least September 19, 1994, Clark's SPCC Plan failed to include a complete discussion of conformance with the guideline set forth at 40 C.F.R. § 112.7(e)(3)(v), specifying that vehicular traffic granted entry into the Facility should be warned verbally or by appropriate signs to be sure that the vehicles, because of their size, do not endanger above-ground piping.

Answer to Paragraph No. 247:

Denied.

Paragraph No. 248 Alleges:

The acts or omissions referred to in the preceding four paragraphs constitute violations of the 40 C.F.R. § 112.7(e) and the CWA.

Answer to Paragraph No. 248:

Denied.

Paragraph No. 249 Alleges:

As a result of Clark's violations of 40 C.F.R. § 112.7(e) and the CWA, Clark is liable for (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 249:

Denied.

**TWENTY-SEVENTH CLAIM FOR RELIEF
(CWA)
Failure to Review the SPCC Plan**

Paragraph No. 250 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 46 through 94, and 191 through 249, above.

Answer to Paragraph No. 250:

Clark realleges its answers to paragraphs 1 through 7, 46 through 94, and 191 through 249 above as if fully set forth herein.

Paragraph No. 251 Alleges:

Clark completed a review of the SPCC Plan for the Blue Island Refinery on or around August 20, 1990. Clark completed the next review of the SPCC Plan for the Blue Island Refinery on or around September 19, 1994. Clark completed a further of the SPCC Plan for the Blue Island Refinery on or around July 1, 1998.

Answer to Paragraph No. 251:

Clark denies that the most recent revision of the SPCC Plan was completed on July 1, 1998, and states that such revision was completed on July 9, 1998. Clark admits the remaining allegations of this paragraph.

Paragraph No. 252 Alleges:

For at least the periods from August 20, 1993 to September 18, 1994 and from September 20, 1997 to June 30, 1998, Clark failed to review the SPCC Plan for the Facility.

Answer to Paragraph No. 252:

Denied.

Paragraph No. 253 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of the 40 C.F.R. § 112.5(b) and the CWA.

Answer to Paragraph No. 253:

Denied.

Paragraph No. 254 Alleges:

As a result of Clark's violations of 40 C.F.R. § 112.5(b) and the CWA, Clark is liable for (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 254:

Denied.

**TWENTY-EIGHTH CLAIM FOR RELIEF
(RCRA)
Failure to Keep Containers Closed**

Paragraph No. 255 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7 and 95 through 112, above.

Answer to Paragraph No. 255:

Clark realleges its answers to paragraphs 1 through 7 and 95 through 112 above as if fully set forth herein.

Paragraph No. 256 Alleges:

On at least March 20, 1997, Clark failed to keep a container holding hazardous waste at the Facility closed when waste was not being added or removed.

Answer to Paragraph No. 256:

The allegations of this paragraph are too vague and unspecific to permit Clark to admit or deny them.

Paragraph No. 257 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 35 I.A.C. §§ 722.134(a)(1) and 725.273 of the federally approved hazardous waste management program for the State of Illinois.

Answer to Paragraph No. 257:

Denied.

Paragraph No. 258 Alleges:

Pursuant to Section 3008(a) and (g) of RCRA, 42 U.S.C. § 6928(a) and (g), Clark is liable for a civil penalty of up to \$25,000 per day for each violation.

Answer to Paragraph No. 258:

Denied.

**TWENTY-NINTH CLAIM FOR RELIEF
(RCRA)
Failure to Date and Mark Hazardous Waste Containers**

Paragraph No. 259 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 95 through 112, and 255 through 258, above.

Answer to Paragraph No. 259:

Clark realleges its answers to paragraphs 1 through 7, 95 through 112, and 255 through 259 above as if fully set forth herein.

Paragraph No. 260 Alleges:

On at least March 3, 1997, Clark accumulated hazardous waste on-site in a container without clearly marking the container with the date upon which the period of accumulation began.

Answer to Paragraph No. 260:

The allegations of this paragraph are too vague and unspecific to permit Clark to admit or deny them.

Paragraph No. 261 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 35 I.A.C. § 722.134(a)(2) of the federally approved hazardous waste management program for the State of Illinois.

Answer to Paragraph No. 261:

Denied.

Paragraph No. 262 Alleges:

On at least March 3, 1997, Clark accumulated hazardous waste on-site in a container without clearly labeling or marking the container with the words, "Hazardous Waste."

Answer to Paragraph No. 262:

The allegations of this paragraph are too vague and unspecific to permit Clark to admit or deny them.

Paragraph No. 263 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 35 I.A.C. § 722.134(a)(3) of the federally approved hazardous waste management program for the State of Illinois.

Answer to Paragraph No. 263:

Denied.

Paragraph No. 264 Alleges:

Pursuant to Section 3008(a) and (g) of RCRA, 42 U.S.C. § 6928(a) and (g), Clark is liable for a civil penalty of up to \$25,000 per day for each violation.

Answer to Paragraph No. 264:

Denied.

**THIRTIETH CLAIM FOR RELIEF
(RCRA)
Failure to Complete Land Disposal Restriction Notifications**

Paragraph No. 265 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 95 through 112, and 255 through 264, above.

Answer to Paragraph No. 265:

Clark realleges its answers to paragraphs 1 through 7, 95 through 112, and 255 through 264 above as if fully set forth herein.

Paragraph No. 266 Alleges:

On numerous occasions since at least 1994, Clark, when shipping waste off-site that is restricted from land disposal under 35 I.A.C. Part 728, has failed to include all of the information required by 35 I.A.C. § 728.107 in land disposal restriction notifications.

Answer to Paragraph No. 266:

The allegations of this paragraph are too vague and unspecific for Clark to admit or deny them.

Paragraph No. 267 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 35 I.A.C. § 728.107 of the federally approved hazardous waste management program for the State of Illinois.

Answer to Paragraph No. 267:

Denied.

Paragraph No. 268 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the federally approved hazardous waste management program for the State of Illinois.

Answer to Paragraph No. 268:

Denied.

Paragraph No. 269 Alleges:

Pursuant to Section 3008(a) and (g) of RCRA, 42 U.S.C. § 6928(a) and (g), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 269:

Denied.

**THIRTY-FIRST CLAIM FOR RELIEF
(RCRA)
Failure to Minimize the Threat of Release**

Paragraph No. 270 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 95 through 112, and 255 through 269, above.

Answer to Paragraph No. 270:

Clark realleges its answers to paragraphs 1 through 7, 95 through 112, and 255 through 269 above as if fully set forth herein.

Paragraph No. 271 Alleges:

Since at least March 3, 1997, Clark has not maintained and operated the overflow pit, the dike of tanks 51 and 59, the dike of tank 28, and the crude unit at the Blue Island Refinery to minimize the possibility of any release of hazardous waste or hazardous waste constituents to the soil that could threaten human health or the environment.

Answer to Paragraph No. 271:

The allegations of this paragraph are too vague and unspecific for Clark to admit or deny. To the extent that Clark understands the allegations of this paragraph, Clark denies them.

Paragraph No. 272 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 35 I.A.C. § 725.131, as referenced by 35 I.A.C. § 722.134(a)(4), of the federally approved hazardous waste management program for the State of Illinois.

Answer to Paragraph No. 272:

Denied.

Paragraph No. 273 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the federally approved hazardous waste management program for the State of Illinois.

Answer to Paragraph No. 273:

Denied.

Paragraph No. 274 Alleges:

Pursuant to Section 3008(a) and (g) of RCRA 42 U.S.C. § 6928(a) and (g), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after

Answer to Paragraph No. 274:

Denied.

**THIRTY-SECOND CLAIM FOR RELIEF -
(RCRA)**

Failure to Determine the Average VO Concentration of Hazardous Waste

Paragraph No. 275 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 95 through 112, and 255 through 274, above.

Answer to Paragraph No. 275:

Clark realleges its answers to paragraphs 1 through 7, 95 through 112, and 255 through 274 above as if fully set forth herein.

Paragraph No. 276 Alleges:

Since at least December 6, 1996, Clark, has failed to determine the average volatile organic ("VO") concentration of certain hazardous wastes at the point of waste origination using either direct measurement or by knowledge.

Answer to Paragraph No. 276:

The allegations of this paragraph are too vague and unspecific for Clark to admit or deny. To the extent that Clark understands the allegations of this paragraph, Clark denies them.

Paragraph No. 277 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 40 C.F.R. § 265.1084(a)(2).

Answer to Paragraph No. 277:

Denied.

Paragraph No. 278 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate the requirements of RCRA.

Answer to Paragraph No. 278:

Denied.

Paragraph No. 279 Alleges:

Pursuant to Section 3008(a) and (g) of RCRA, 42 U.S.C. § 6928(a) and (g), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 279:

Denied.

**THIRTY-THIRD CLAIM FOR RELIEF
(RCRA)**

Treatment, Storage or Disposal of Hazardous Waste Without a Permit

Paragraph No. 280 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7, 95 through 112, and 255 through 279, above.

Answer to Paragraph No. 280:

Clark realleges its answers to paragraphs 1 through 7, 95 through 112, and 255 through 279 above as if fully set forth herein.

Paragraph No. 281 Alleges:

On several occasions since at least 1993, Clark has discharged hazardous waste to the diked areas of tank 55 and tank 28 without a permit and without interim status, and has otherwise treated, stored or disposed of hazardous wastes without a permit and without interim status.

Answer to Paragraph No. 281:

The allegations of this paragraph are too vague and unspecific for Clark to admit or deny. To the extent that Clark understand the allegations of this paragraph, Clark denies them.

Paragraph No. 282 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of 35 I.A.C. § 703.121(a) and Section 3005(e) of RCRA, 42 U.S.C. § 6925(e).

Answer to Paragraph No. 282:

Denied.

Paragraph No. 283 Alleges:

Unless restrained by an Order of the Court, Clark may continue to violate RCRA and the federally approved hazardous waste management program for the State of Illinois.

Answer to Paragraph No. 283:

Denied.

Paragraph No. 284 Alleges:

Pursuant to Section 3008(a) and (g) of RCRA, 42 U.S.C. § 6928(a) and (g), Pub. L. 104-134 and 61 Fed. Reg. 69,360 (Dec. 31, 1996), Clark is liable for injunctive relief and (1) a civil penalty of up to \$25,000 per day for each violation occurring prior to January 30, 1997, and (2) a civil penalty of up to \$27,500 per day for each violation occurring on or after January 30, 1997.

Answer to Paragraph No. 284:

Denied.

**THIRTY-FORTH CLAIM FOR RELIEF
(CERCLA)
Failure to Notify National Response Center**

Paragraph No. 285 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7 and 113 through 114, above.

Answer to Paragraph No. 285:

Clark realleges its answers to paragraphs 1 through 7 and 113 through 114 above as if fully set forth herein.

Paragraph No. 286 Alleges:

On several occasions since at least 1994, Clark has failed to immediately notify the National Response Center of releases from its Facility of hazardous substances in an amount equal to or greater than the reportable quantity for those substances.

Answer to Paragraph No. 286:

The allegations of this paragraph are too vague and unspecific to permit Clark to admit or deny them.

Paragraph No. 287 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of Section 103(a) of CERCLA, 42 U.S.C. § 9603.

Answer to Paragraph No. 287:

Denied.

Paragraph No. 288 Alleges:

Pursuant to Section 109(c)(1) of CERCLA, 42 U.S.C. § 9609(c)(1), Clark is liable for civil penalties in an amount not to exceed \$25,000 per day for each day the violation continues, and in an amount not to exceed \$75,000 per day for each day that any second or subsequent violation continues.

Answer to Paragraph No. 288:

Denied.

**THIRTY-FIFTH CLAIM FOR RELIEF
(EPCRA)
Failure to Notify State and Local Authorities**

Paragraph No. 289 Alleges:

Plaintiff realleges each and every allegation set forth in paragraphs 1 through 7 and 115 through 117, above.

Answer to Paragraph No. 289:

Clark realleges its answers to paragraphs 1 through 7 and 115 through 117 above as if fully set forth herein.

Paragraph No. 290 Alleges:

On several occasions since at least 1994, Clark has failed to notify the SERC immediately of a release of a hazardous or extremely hazardous substance as required by Section 304(a) of EPCRA, 42 U.S.C. § 11004(a).

Answer to Paragraph No. 290:

The allegations of this paragraph are too vague and unspecific to permit Clark to admit or deny them.

Paragraph No. 291 Alleges:

On several occasions since at least 1994, Clark has failed to notify the LEPC immediately of a release of a hazardous or extremely hazardous substance as required by Section 304(a) of EPCRA, 42 U.S.C. § 11004(a).

Answer to Paragraph No. 291:

The allegations of this paragraph are too vague and unspecific to permit Clark to admit or deny them.

Paragraph No. 292 Alleges:

On several occasions since at least 1994, Clark has failed to provide a written follow-up emergency notice to the SERC as soon as practicable after a release which requires notice under Section 304(a) of EPCRA, 42 U.S.C. § 11004(a), in accordance with the requirements of Section 304(c) of EPCRA, 42 U.S.C. § 11004(c).

Answer to Paragraph No. 292:

The allegations of this paragraph are too vague and unspecific to permit Clark to admit or deny them.

Paragraph No. 293 Alleges:

On several occasions since at least 1994, Clark has failed to provide a written follow-up emergency notice to the LEPC as soon as practicable after a release which requires notice under Section 304(a) of EPCRA, 42 U.S.C. § 11004(a), in accordance with the requirements of Section 304(c) of EPCRA, 42 U.S.C. § 11004(c).

Answer to Paragraph No. 293:

The allegations of this paragraph are too vague and unspecific to permit Clark to admit or deny them.

Paragraph No. 294 Alleges:

The acts or omissions referred to in the preceding paragraph constitute violations of Section 304 of EPCRA, 42 U.S.C. § 110104.

Answer to Paragraph No. 294:

Denied.

Paragraph No. 295 Alleges:

Pursuant to Section 325(b)(3) of EPCRA, 42 U.S.C. § 11045(b)(3), Clark is liable for civil penalties in an amount not to exceed \$25,000 per day for each day the violation continues, and in an amount not to exceed \$75,000 per day for each day that any second or subsequent violation continues.

Answer to Paragraph No. 295:

Denied.

AFFIRMATIVE DEFENSES

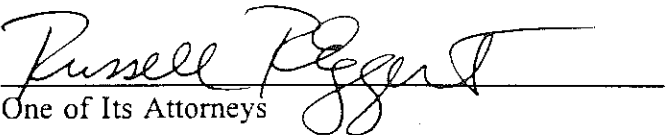
Clark states the following defenses without assuming the burden of proof that would otherwise rest on plaintiff with respect to any such defense.

1. Each claim alleged herein is barred to the extent it reaches back more than the applicable limitations period.

WHEREFORE, Defendant Clark prays that this Court enter judgment in its favor, dismiss with prejudice the claims set forth in the Complaint, and award such other relief as the Court deems just and proper.

Dated: January 15, 1998

CLARK REFINING & MARKETING, INC.


One of Its Attorneys

John C. Berghoff, Jr.
Russell R. Eggert
Michael P. Rissman
MAYER, BROWN & PLATT
190 South LaSalle Street
Chicago, Illinois 60603
(312) 782-0600

CERTIFICATE OF SERVICE

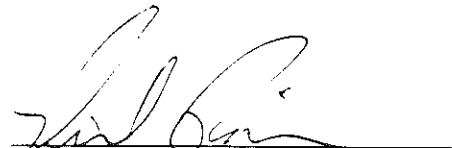
The undersigned attorney certifies that he caused the foregoing Clark Refining and Marketing, Inc.'s Answer to be served on January 15, 1999, via first class mail, postage pre-paid, to:

Linda Wawzenski
Assistant United States Attorney
219 South Dearborn Street
Chicago, IL 60604

James D. Freeman
Frances M. Zizila
Trial Attorneys
Environmental Enforcement Section
U.S. Department of Justice
999 Eighteenth Street
Suite 945 - North Tower
Denver, CO 80202

Rodger Field
Roger Grimes
Leslie Kirby
Associate Regional Counsels
United States Environmental
Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604

Ellen O'Laughlin
Assistant Attorney General
100 West Randolph Street, 11th floor
Chicago, IL 60601



Michael P. Rissman



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

708/338-7900

CERTIFIED # 036051388

May 20, 1994

Clark Oil & Refining
Attn: Ron Snook, Environmental Manager
131st and Kedzie
Blue Island, Illinois 60406

Re: PRE-ENFORCEMENT CONFERENCE LETTER
031024C005 -- Cook County
Clark Oil & Refining
ILD005109822
Compliance File

Dear Mr. Snook:

By copy of this letter the Illinois Environmental Protection Agency hereby informs you of apparent violations of the Illinois Environmental Protection Act and/or rules and regulations adopted thereunder. These apparent violations are based on a April 13, 1994 inspection and are set forth in Attachment A of this letter.

As a result of these apparent violation(s), it is our intent to refer this matter to the Illinois Environmental Protection Agency's ("Agency") legal staff for the preparation of a formal enforcement case. The Agency's legal staff will, in turn, refer this matter to the Office of the Attorney General or the State's Attorney's Office for the filing of a formal complaint.

Prior to taking such action, however, you are requested to attend a Pre-Enforcement Conference to be held at the Maywood Regional Office, 1701 South First Avenue, Suite 600, Maywood, Illinois. The purpose of this conference will be:

1. to discuss the validity of the apparent violations identified on the inspection report and
2. to arrive at a program to eliminate existing and/or future violations.

You should, therefore, bring such personnel and records to the conference which will enable a complete discussion of the above items. We have scheduled the conference for June 1, 1994 at 11:00 a.m. If this arrangement is inconvenient, you may arrange for an alternative date and time.

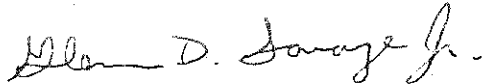
In addition, please be advised that this letter constitutes the notice required by section 31(d) of the Illinois Environmental Protection Act prior to the filing of a formal complaint. The cited section of the Illinois Environmental Protection Act requires the Illinois Environmental Protection

Page 2

Agency to inform you of the charges which are to be alleged and offer you the opportunity to meet with appropriate officials within thirty (30) days of this notice date in an effort to resolve such conflict which could lead to the filing of formal action.

If either the above mentioned conference date or time is inconvenient, or if you have any questions regarding this letter, please contact Aaron Taylor at 708/338-7900.

Sincerely,



Glenn D. Savage, Jr., Manager
Field Operations Section
Division of Land Pollution Control
Bureau of Land

GDS:AT:DV:ct,695w,86-87

Attachments

95031000494

ATTACHMENT A

1. Pursuant to Section 21(p)(1) of the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111-1/2, Sec. 1001 et seq. no person shall cause or allow litter.

You are in apparent violation of Section 21(p)(1) of the Act for the following reason: Your vacuum truck emptied a special waste on the ground.

2. Pursuant to Section 21(a) of the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. no person shall cause or allow the open dumping of any waste. You are in apparent violation of Section 21(a) of the Act for the following reason(s): Your vacuum truck emptied a special waste on the ground.

3. Pursuant to Section 21(d) of the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation:

1. Without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder; provided, however, that no permit shall be required for any person conducting a waste-storage, waste-treatment, or waste-disposal operations for wastes generated by such person's own activities which are stored, treated, or disposed within the site where such wastes are generated; or,
2. In violation of any regulations or standards adopted by the Board under this Act.

This subsection (d) shall not apply to hazardous waste.

You are in apparent violation of Section 21(d) of the Act for the following reason(s): Your vacuum truck emptied a special waste on the ground and your facility is not permitted for this activity. You are disposing of a special waste without an Agency permit.



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/782-6761

February 3, 1994

Clark Oil and Refining
Attn: Stafford Jacques, Asst. Director
of Environmental Control
131st and Kedzie
Blue Island, Illinois 60406

Re: 0310240005 -- Cook County
Clark Oil and Refining
ILD005109822
Compliance File

Dear Mr. Jacques:

On December 6, 1993 your facility was inspected by Aaron Taylor of the Illinois Environmental Protection Agency. The purpose of this inspection was to determine your facility's compliance with 35 Illinois Administrative Code, Part 722, Subparts A through E; Part 725, Subparts A through E, I, J, and O; and Part 728, Subparts A through E. At the time of the inspection, no apparent violations addressed as part of the inspection were observed.

For your information, a copy of the inspection report is enclosed. If you have any questions regarding the above matter, please contact Aaron Taylor at 708/531-5900.

Sincerely,

Brian S. White, Manager
Compliance Unit
Planning and Reporting Section
Bureau of Land

BSW:AT:dv

bcc: Division File
Maywood Region
Aaron Taylor
Deanne Virgin

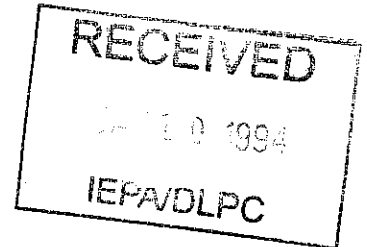
CLARK OIL & REFINING CORPORATION



131ST AND KEDZIE AVENUE
POST OFFICE BOX 297
BLUE ISLAND, ILLINOIS 60406-0297
OFFICE: (708) 385-5000
FAX: (708) 385-0781

January 6, 1993 *4*

Mr. Bur Filson
Manager, Northern Sub Unit
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, IL 62794



Re: IEMA #933266
Clark Refining & Marketing Inc.
Blue Island, IL 60406

031024000S CLARK OIL LUST
CLARK OIL
LUST

Dear Mr. Filson:

This letter is in reference to a telephone conversation with Mr. Craig Steinheimer from Illinois EPA LUST Division, on Tuesday, January 4, 1994 and IEMA's Notification Number 933266. On December 22, 1993 Clark Refining & Marketing, Inc. (Clark) notified IEMA of a release of gasoline from an "aboveground storage tank". The release occurred on Clark's property, in a dike surrounding the aboveground storage tank.

Clark has since received a package from the LUST Section of Illinois EPA, requesting the normally required LUST reports. Since this release occurred from an aboveground storage tank and not an underground storage tank, the forms received are not applicable. Please modify your records to reflect this change.

Clark is committed to full cooperation with Illinois EPA. If you have any questions, please contact me.

Sincerely yours,

CLARK REFINING & MARKETING, INC.

Ronald Snook
Environmental Manager

RDS/rs/epa

SCREENED
ds



Illinois Emergency Management Agency

Incident Number

| | | | | | |
|---|---|---|---|---|---|
| 9 | 3 | 3 | 2 | 6 | 6 |
|---|---|---|---|---|---|

Notify: ILLINOIS EMERGENCY MANAGEMENT AGENCY

1 - 800 / 782 - 7860 or 217 / 782 - 7860

FIELD REPORT

Date: 12 22 93 /

Time: 0957

Received by: KK

1. Caller: BOB SNOOK
2. Call back phone#: 708/385-5000
3. Caller represents: CLARK REFINING & MARKETING CORP.
4. Type of incident: ☐ Fire ☒ Leak or Spill ☐ Explosion ☐ Water Involvement ☐ Gas or Vapor cloud ☐ Other _____
5. Incident Location:

Street 131ST ST. & HOWARD

City BLUE ISLAND ☐ In ☐ Near

County COOK

Milepost: _____ ☐ RR ☐ River ☐ Highway

Sec. _____ Twp. _____ Range _____
6. Area Involved: ☐ Highway ☐ Rail ☒ Fixed Facility ☐ Waterway ☐ Air ☐ Other _____
7. Material (s) Involved: UNLEADED GASOLINE

☐ Gas ☐ Liquid ☐ Semi-Solid ☐ Solid

☐ Pesticide ☐ Radioactive

CAS #: _____

UN/NA #: _____

Is this a 302 (a) Extremely Hazardous Substance?

☐ Yes ☐ No ☐ Unknown

Is this a RCRA Hazardous Waste?

☐ Yes ☐ No ☐ Unknown

If Yes, is this a RCRA regulated facility?

☐ Yes ☐ No
8. Container: ☐ Truck ☐ RR car ☐ Drum ☐ Aboveground tank ☐ Pipeline ☒ Underground tank ☐ Other _____
9. Amount released: APPR. 50-75 GALS
10. Cause of release: LEAK IN LINE
11. Estimated spill extent: _____
12. ☐ Occurred Date: ____/____/____ Time: _____
- ☒ Discovered Date: 12/22/93 Time: 0930
13. Emergency units contacted

☐ Fire _____

☐ Sheriff _____

☐ Police _____

☐ ESDA _____

☐ Other NRC
14. On Scene Contact: _____
- On Scene Phone#: _____
- No. Injured: -0- ☐ Haz-mat related
- Where taken: _____
16. Public health risks and/or precautions taken, including # evacuated: _____
17. Assistance needed from State Agencies: _____
18. Containment/cleanup actions and plans: _____
19. Weather: ☐ sunny ☐ overcast ☐ night ☐ pty. cldy. ☐ rain ☐ snow
- Temp. _____ F wind dir. _____ speed _____ mph.
20. Responsible Party: #3

Contact person: #1

Phone #: #2

Mailing address: 131ST ST. & KEDZIE

BLUE ISLAND, IL 6040
- Notifications: 0959 FAXED IEPA/EFM
- On scene

☐ Fire _____

☐ Sheriff _____

☐ Police _____

☐ ESDA _____

☐ Other _____

CLARK OIL & REFINING CORPORATION



131ST AND KEDZIE AVENUE
POST OFFICE BOX 297
BLUE ISLAND, ILLINOIS 60406-0297
OFFICE: (708) 385-9000
FAX: (708) 385-0781

June 15, 1993

VIA FAX

Mr. Larry Eastep
Division Of Land Pollution Control
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, IL 62766

Re: 30 Day Storage Extension

Dear Mr. Eastep:

This letter is in response to my telephone conversation with Ms. Donna Grant, representing Illinois EPA. Ms. Grant has reviewed Clark's request, dated June 3, 1993, for a 30 day extension of the 20 day store rule and required further information. Please find below Ms. Grant's questions, followed by Clark's response:

1. Location of wastes on site.

The wastes are stored in 20 cubic yard, roll-off style container (boxes). These boxes are lined and covered with plastic. The boxes are located in what Clark's terms the "Northwest Properties", this area is west of Homan Avenue and just south of 127th street.

2. Generator's IEPA and USEPA numbers.

Clark Oil & Refining Corporation - Blue Island Refinery
Blue Island, Illinois.
USEPA # ILD 005-109-822
IEPA # 0310240005

Date Storage Began.

Storage began on the following dates:

- 1st storage box began on March 16, 1993
- 2nd storage box began on March 17, 1993
- 3rd and 4th storage box began on March 18, 1993

Mr. Larry Eastep
Illinois Environmental Protection Agency
June 15, 1993
Page Two

4. Discussion or details on: why new waste stream and why the delay?

This material is usually disposed of through alternative fuel blenders, as an oily waste (K049, F037, and K051). In Clark's commitment to hazardous waste reduction, we attempted to reduce the hazardous waste generated by performing a waste reduction procedure. Clark contracted with a company to centrifuge the oily sludge in order to recycle the oil, disposed of the water phase through Clark's wastewater treatment system, and then dispose of the solids in a landfill. Upon analyses of the solid material to be landfilled, the cyanide concentration exceeded the applicable limits.

Clark then attempted to contract with hazardous waste treatment companies to dispose of the solid materials and procure the applicable permits for treatment and disposal purposes. These procedures have taken longer than expected, for this reason Clark is requesting the 30 day extension.

Clark is committed to full cooperation with IEPA. If you have any further questions, please do not hesitate to contact me.

Sincerely yours,
CLARK OIL & REFINING CORPORATION

Stafford G. Jacques
Stafford Jacques
Environmental Manager

copy to: B. Dahm
J. Bernbom

SUPPLEMENTAL ENVIRONMENTAL PROJECT PROPOSAL

Clark Refinery and Marketing, Inc.
13001 South Kedzie
Blue Island, Illinois

1. Name of coalition putting forth the proposal:

Citizens for a Better Environment (CBE), located in Chicago, Illinois, is putting forth this proposal based on the U.S. Environmental Protection Agency's request for SEP ideas for possible incorporation into settlement of a lawsuit between Clark Refining and Marketing (Clark) and the U.S. EPA.

2. Mailing address:

407 S. Dearborn
Suite 1775
Chicago, Illinois 60605

3. Contact:

Ms. Joanna Hoelscher
Ms. Abigail Jarka
Citizens for a Better Environment
(312) 939-1530

4. Brief description of the coalition and its interests:

Since 1994, CBE has worked with the residents of Blue Island, Illinois that reside in relative close proximity to the Clark refinery, located at 13100 South Kedzie, Blue Island, Illinois, to address concerns about accidental releases to the environment of toxic chemicals. At that time, CBE worked with a Good Neighbor Committee to develop a Good Neighbor Agreement with Clark. CBE and representatives of the Good Neighbor Committee, at that time, had engaged in direct dialogue with company representatives about Clark's emissions and operations; however, Clark discontinued its involvement with Good Neighbor Committee due to managerial changes. Therefore, a Good Neighbor Agreement between the community and Clark was never established.

During 1997, the U.S. EPA National Enforcement Investigation Center (NEIC) conducted a multi-media compliance investigation of the Clark, Blue Island refinery. The results of the investigation indicated multiple environmental compliance issues, which are currently the subject of a lawsuit between the U.S. EPA and Clark. In light of the pending lawsuit, CBE hopes to have SEPs that will ultimately improve refinery operations incorporated into the final agreement between Clark and the U.S. EPA. *The proposed SEP projects are being submitted solely by CBE and only represent those projects that CBE put forth as part of the former good neighbor negotiations with Clark.*

5. What community or geographic area would most benefit from the proposed project?

Each proposed project would specifically benefit community residents living and working in proximity to the Clark refinery and to Blue Island residents generally. Additionally, given Clark's close proximity to Alsip, certain areas in that community would also benefit from the proposed SEPs. It should be noted that the proposed SEPs not only focus on improving the environment for the residents nearby the refinery, but also seek to improve the overall refinery operations and, in some cases, provide a return on investment.

SUPPLEMENTAL ENVIRONMENTAL PROJECT PROPOSAL

**Clark Refinery and Marketing, Inc.
13001 South Kedzie
Blue Island, Illinois**

6. Description of proposed projects:

CBE has identified five specific projects for possible inclusion in the lawsuit settlement as SEPs. Where possible, estimated costs associated with each project have been identified. The following list presents the proposed projects:

- a. Leak Detection and Repair program*
- b. Real-time fence-line monitoring*
- c. Pollution prevention audit*
- d. Vapor recovery systems in high use loading/unloading areas*
- e. Safety assessment*

Note that this listing is *not* presented in order of priority.

7. Nexus:

Each of the proposed projects address emissions, or the potential for emissions, from the Clark refinery to the local citizenry and the environment. Proposals (a), (b), (c), and (d) specifically address the reduction or elimination of emissions associated with certain refinery processes. Proposal (e) addresses human health and safety concerns of residents living in close proximity to the refinery.

8. Relationship with improving the quality of human health or the environment:

TRI data indicates that Clark is a significant source of emissions to the Blue Island area, in fact, Clark is in the top 20% of all TRI facilities reporting in 1996 for air releases of recognized developmental and reproductive toxicants. The proposals that focus on emissions monitoring and reduction will ultimately reduce pollutant loading to the nearby community thereby improving human health and environmental quality. Conducting and implementing recommendations from a safety assessment will also improve the inherent safety of the refinery and minimize the potential for catastrophic accidents that could affect the health and safety of the surrounding community.

SUPPLEMENTAL ENVIRONMENTAL PROJECT PROPOSAL

Clark Refinery and Marketing, Inc.
13001 South Kedzie
Blue Island, Illinois

PROPOSAL: (a) Upgrade the leak detection and repair program.

OBJECTIVE: Reduce fugitive VOC air emissions from the refinery.

BASIS: Studies conducted by the U.S. EPA and industries indicate that approximately 90% of refinery emissions are airborne and 10% of those emissions are the result of equipment releases.¹ The same source identifies fugitive emissions from process equipment and tank vents to be a significant source of the total refinery emissions.

DESCRIPTION: Institute a leak detection and repair program for fugitive emissions from process equipment (valves, flanges, pump seals, etc.). At a minimum, an LDAR program would initially consist of monthly monitoring of refinery components at a 500 ppm leak detection level. Leaking components would be repaired immediately (within 15 days based on regulatory requirements) and re-monitored to confirm the effectiveness of the repair. Quarterly monitoring of equipment could be conducted when less than 1% of all components are found to be leaking at a 500 ppm detection level, or when overall refinery VOC emissions are reduced to less than 400 tons/year. Repetitively leaking valves and pumps (defined as leaking more than two times during a one-year period) would be replaced with advanced packing or bellows valves, and canned or dual mechanical sealed pumps.

As part of the LDAR program, Clark would develop an inventory of chronic or high-repeat leaking equipment. The purpose of this inventory would be to develop a database of information regarding fugitive emissions thus allowing Clark to address operational concerns that are attributing to fugitive emissions from equipment. The basis for developing a chronic-leaker inventory is work completed by the National Petrochemical and Refiners Association (NPRA) that suggests chronic-leakers are not distributed randomly throughout a refinery.

COSTS: Costs for implementation of this project have not been evaluated for the Clark facility. However, based on previous studies, a quarterly LDAR program at 500 ppm typically costs \$150,000 to \$200,000 annualized costs over 15 years.² The expected pay-back period of this project is one year.

¹ U.S. EPA. Amoco/U.S. EPA Pollution Prevention Project- Yorktown, Virginia. January 1992

² U.S. EPA. Amoco/U.S. EPA Pollution Prevention Project- Yorktown, Virginia. January 1992, Table 3.4a.

SUPPLEMENTAL ENVIRONMENTAL PROJECT PROPOSAL

**Clark Refinery and Marketing, Inc.
13001 South Kedzie
Blue Island, Illinois**

PROPOSAL: (b) Fenceline emission monitoring

OBJECTIVE: Monitor emissions from the refinery

BASIS: Clark has had documented permit exceedances of air emissions, including sulfuric acid and benzene, from refinery operations

DESCRIPTION: This project would consist of installing a continuous fenceline air emission monitoring system. The first step would be to conduct air dispersion modeling to evaluate local air movement with respect to meteorological conditions thus allowing Clark to evaluate the location and spacing of the monitors. The second step would be to install a continuous fenceline monitoring system that, at a minimum, would monitor benzene, toluene, ethylbenzene, and toluene (BTEX compounds) as well as SO₂ and NO_x. It is anticipated that the continuous monitor would be installed along facility boundaries adjacent to residential areas that are most likely to receive the greatest contaminant loads based on the modeling.

As part of this program, Clark would contract with a third-party contractor to conduct the emission monitoring and maintain the equipment in order to maintain consistency and continued operation of the system. Monthly reports would be provided to the City Council and Good Neighbor Committee.

COSTS: Typical costs for this equipment to monitor four compounds and installation range from \$75,000 to \$125,000. Monthly costs for data processing and reporting of four compounds typically range from \$7,000 to \$20,000 per month.

SUPPLEMENTAL ENVIRONMENTAL PROJECT PROPOSAL

Clark Refinery and Marketing, Inc.
13001 South Kedzie
Blue Island, Illinois

PROPOSAL: (c) Comprehensive Pollution Prevention Assessment

OBJECTIVE: Reduce use, storage, and waste disposal of toxic materials at the refinery

BASIS: Clark uses highly toxic materials at its refinery (such as hydrogen fluoride) and is a significant generator of air pollution and hazardous waste in Blue Island. The facility is a considered a major source for air emissions under Clean Air Act requirements and a large quantity generator of hazardous waste under RCRA. A reduction in use and, therefore, disposal of hazardous materials would improve the inherent safety of the plant (use of safer materials) and reduce toxic emissions to nearby residents. Additionally, pollution prevention measures will eventually pay for themselves within a specified pay back period ultimately reducing operation costs to the facility.

DESCRIPTION: This project would entail Clark engaging the services of a consultant, acceptable to the City Council and the Good Neighbor Committee, to perform a comprehensive, facility-wide Pollution Prevention assessment to identify measures which can be implemented to reduce emissions and waste generation at the refinery. Specific issues that should be included in the report are:

- refinery catalyst recycling and reuse alternatives
- process improvements that result in the reduction of ongoing particulate and SO₂ emissions from the FCC unit
- sulfur acid emission reduction associated with sulfur recovery plant

It is expected that Clark would work collaboratively with the City Council and the Good Neighbor committee in reviewing the results of the assessment and implementing its recommendations. Clark would provide the City Council and Good Neighbor Committee periodic updates outlining pollution prevention initiatives undertaken at the refinery. As part of this project, Clark would implement a program of continuing pollution prevention research and capital planning/investment so that alternative not currently feasible could be implemented in the future.

COSTS: Costs for implementation of this project have not been evaluated.

SUPPLEMENTAL ENVIRONMENTAL PROJECT PROPOSAL

**Clark Refinery and Marketing, Inc.
13001 South Kedzie
Blue Island, Illinois**

PROPOSAL: (d) Vapor Recovery System in High Use Loading/Unloading Areas

OBJECTIVE: Reduce VOC air emissions and release of free-product to the ground surface

BASIS: Previous studies indicate that fugitive VOC air emissions from loading/unloading areas account for up to 10% of refinery air emissions. Emissions typically contain benzene, a known human carcinogen.

DESCRIPTION: This project consists of installing vapor recovery systems in high use loading/unloading areas to collect and condense vapors from petroleum products for reuse. Measures to reduce spillage in loading/unloading area that should be considered, and if feasible installed, include:

- Paving and diking of product transfer areas to limit spills to surface soil, groundwater, and surface water
- Fail-safe design features (warning lights or barriers) to prevent vehicle departure until transfer lines are completely disconnected
- Design of containment areas to facilitate reuse of spilled petroleum products.

COSTS: Costs for implementation of this project have not been evaluated. However, documented cost savings associated with recovery of usable product and reduced waste disposal costs were approximately \$12,000.³

³ Epstein, Lois N. A Review of Pollution Prevention Strategies for Petroleum Refineries. 1994 NPRA Environmental Conference. Houston, Texas.

SUPPLEMENTAL ENVIRONMENTAL PROJECT PROPOSAL

**Clark Refinery and Marketing, Inc.
13001 South Kedzie
Blue Island, Illinois**

PROPOSAL: (e) Safety Assessment

OBJECTIVE: Continued evaluation of Clark's safety management program.

BASIS: Occurrence of multiple refinery accidents.

DESCRIPTION: Clark will contract with an independent safety specialist to conduct annual safety audits of the refinery for at least five years. These audits would include an evaluation of the company's overall safety management program as well as an assessment any new technologies available to improve the inherent safety of the facility. Clark would work with the City Council and Good Neighbor Committee on choosing the independent contractor, or contractors, assessing of the audit results on a yearly basis, and implementing the audit recommendations on a yearly basis.

COSTS: Costs for implementation of this project have not been evaluated.

Clark Oil
#0310240005
Compliance File

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

CLARK OIL & REFINING CORPORATION)

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

)
)
) PCB #

) (Provisional Variance)
)
)
)

N O T I C E

TO:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
Suite 11-500
100 West Randolph St.
Chicago, Illinois 60601

Stafford Jacques
Clark Oil & Refining Corp.
Blue Island Refinery
P.O. box 237
131 St. & Kedzie Avenue
Blue Island, Illinois 60406

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the PROVISIONAL VARIANCE of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By:

Scott O. Phillips
Scott O. Phillips
Deputy Counsel
Division of Legal Counsel

Date: June 28, 1993
Agency File #: 334-93

2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

THIS FILING IS SUBMITTED
ON RECYCLED PAPER

95001000476

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CLARK OIL AND REFINING CORPORATION,

Petitioner,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

PCB

PROVISIONAL
VARIANCE

AGENCY RECOMMENDATION

The Illinois Environmental Protection Agency recommends that because of an arbitrary and unreasonable hardship the Petitioner be granted a provisional variance for 30 days pursuant to 35 Ill. Adm. Code 722.134(b) and Section 37 of the Environmental Protection Act. ACTION MUST BE TAKEN WITHIN 2 DAYS OF NOTIFICATION OF THIS RECOMMENDATION FROM THE AGENCY.

1. On June 15, 1993, the Agency received the attached letter from Petitioner. Petitioner requests an extension of time pursuant to 35 Ill. Adm. Code 722.134(b) for its facility in Cook County.

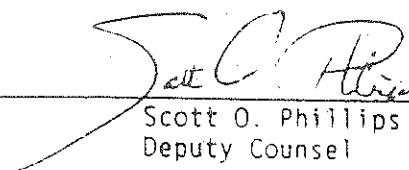
2. The Agency has concluded that the hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary and uncontrollable circumstances and that compliance with the accumulation time requirements of 35 Ill. Adm. Code 722.134 would impose, under these circumstances, an arbitrary or unreasonable hardship. The grant of this provisional variance appears consistent with 40 CFR 262.34(b) (1991), adopted pursuant to the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), which authorizes the Regional Administrator for the United States Environmental Protection Agency to grant similar extensions for up to 30 days when hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances.

Page 2

3. The Agency recommends that Petitioner be granted a provisional variance pursuant to 35 Ill. Adm. Code 722.134(b) from June 24, 1993 to July 24, 1993.

Illinois Environmental Protection Agency

By:


Scott O. Phillips
Deputy Counsel

Date:

28 June 1993

Division of Legal Counsel
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

DG:jar/1097v.103-104

STATE OF ILLINOIS
COUNTY OF SANGAMON

)
) SS
)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached PROVISIONAL VARIANCE upon the person to whom it is directed, by placing a copy in an envelope addressed to:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
Suite 11-500
100 West Randolph St.
Chicago, Illinois 60601
(MESSENGER MAIL)

Stafford Jacques
Clark Oil & Refining Corp.
Blue Island Refinery
P.O. box 287
131 St. & Kedzie Avenue
Blue Island, Illinois 60406
(CERTIFIED MAIL)

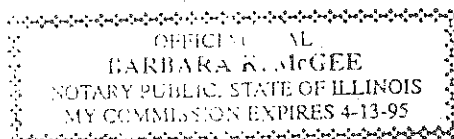
and mailing it from Springfield, Illinois on June 28, 1993, with sufficient postage affixed, as indicated above.

Stafford Jacques

SUBSCRIBED AND SWORN TO BEFORE ME
this 28th day of June, 1993.

Barbara K. McGee
Notary Public

THIS FILING IS SUBMITTED ON RECYCLED PAPER



Grant

ILLINOIS POLLUTION CONTROL BOARD
July 1, 1993

CLARK OIL AND REFINING
CORPORATION,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

PCB 93-125
(Provisional Variance)

ORDER OF THE BOARD (by C. A. Manning):

This matter comes before the Board on receipt of an Agency Recommendation dated June 30, 1993. The recommendation refers to a request from petitioner, Clark Oil and Refining Corporation for a 30-day provisional variance for its Cook County facility from the 90-day limitation on the storage of hazardous wastes, as set forth in 35 Ill. Adm. Code 722.134(b), for the period from June 24, 1993 to July 24, 1993.

Upon receipt of the request, the Agency issued its recommendation, finding that due to unforeseen, temporary and uncontrollable circumstances, failure to grant the requested 30-day provisional variance would impose an arbitrary or unreasonable hardship on Petitioner.

The responsibilities of the Agency and the Board in these short-term provisional variances are different from the responsibilities in standard variances. See 415 ILCS 5/35(b) & (c) (1992) (Ill. Rev. Stat. 1991, ch. 111 $\frac{1}{2}$, pars. 1035(b) & (c)). In provisional variances it is the responsibility of the Agency to make the technical determinations and finding of arbitrary or unreasonable hardship. The Board's responsibility is to adopt a formal Order, to assure the formal maintenance of the record, to assure the enforceability of the variance, and to provide notification of the action by a press release.

Having received the Agency recommendation finding that a denial of the requested relief would impose an arbitrary or unreasonable hardship, the Board hereby grants Petitioner a provisional variance from 35 Ill. Adm. Code 722.134(b) from June 24, 1993 to July 24, 1993.

IT IS SO ORDERED.

5RA-14

Certified Mail P256224035
Return Receipt Requested

Mr. John T. Bernbom
Clark Oil & Refining Corporation
131st and Kedzie Avenue
P.O. Box 297
Blue Island, Illinois 60406

Re: Clark Oil & Refining Corporation
Blue Island, Illinois
ILD 005 109 822

Dear Mr. Bernbom:

The United States Environmental Protection Agency (U.S. EPA) has reviewed all of Clark Oil's "retroactive" 30 day extension requests for the accumulation of hazardous waste in containers at your Blue Island facility to November 4, 1981. The U.S. EPA has also reviewed 40 CFR 262.34(b), regarding extensions of up to 30 days due to an unforeseen, temporary, and uncontrollable circumstances.

Following the U.S. EPA site visit on 2/11/90, the U.S. EPA has decided, at our discretion for this case, that a 30-day extension will not be granted.

If there are any questions concerning this decision, please contact Mr. Robert A. Fuhrer of my staff, at (312) 353-4889.

Sincerely,

Valdus V. Adamkus
Regional Administrator

cc: David Ullrich
Joe Boyle
Larry Eastep, IEPA

bcc: David Nielsen HQ mail code (LE134S)

| | | | | | | | | | | |
|-----------------|---------|------------|-------------|--------------|-------------|--------------|--------------|--------------|----------------|------------|
| RCRA PERMITS | TYR | SHM RHF | AL CHIEF | IN. CHIEF | ML CHIEF | FWI CHIEF | OH. CHIEF | RPB CHIEF | O.R. A.D.D. | WMD DIR |
| INIT. DATE | 4/12/91 | 4/16/91 | | | | | | | | |

DRAFT

5HR-12

Certified Mail P256224035
Return Receipt Requested

Mr. John T. Bernbom
Clark Oil & Refining Corporation
131st and Kedzie Avenue
P.O. Box 297
Blue Island, Illinois 60406

Re: Clark Oil & Refining Corporation
Blue Island, Illinois
ILD 005 109 822

Dear Mr. Bernbom:

The United States Environmental Protection Agency (U.S. EPA) has reviewed all of Clark Oil's "retroactive" 30 day extension requests for the accumulation of hazardous waste in containers at your Blue Island facility to November 4, 1981. The U.S. EPA has also reviewed 40 CFR 262.34 (b), regarding extensions of up to 30 days due to an unforeseen, temporary, and uncontrollable circumstances. The U.S. EPA on January 8, 1990, previously denied Clark Oils extension request.

Following the U.S. EPA site visit on February 11, 1991, the U.S. EPA has decided, for the same reasons as in our previous letter, under no extenuating circumstances, that a 30-day extension will be granted.

If there are any questions concerning this decision, please contact Mr. Robert A. Fuhrer of my staff, at (312) 353-4889.

Sincerely,

David Ullrich
Director, Waste Management Division

cc: Joe Boyle, U.S. EPA
David Nielsen, U.S. EPA (LE134S)
Larry Eastep, IEPA



Illinois Environmental Protection Agency • P. O. Box 19276, Springfield, IL 62794-9276

217/782-6761

Refer to: 0310240005 -- Cook County
Clark Oil & Refining Corporation
ILD005109822
Compliance File

April 15, 1991

Clark Oil & Refining Corporation
Attn: Stafford Jacques
131st Street & Kedzie Avenue
Blue Island, Illinois 60406

Dear Mr. Jacques:

The Agency is in receipt of your February 6, 1991 response(s) to our February 1, 1991 RCRA inspection. Your response(s) has been reviewed and the apparent violation(s) of Section(s) 722.120(a) is now considered resolved.

If you have any questions, please contact John Maher at 708/531-5900.

Sincerely,

Brian S. White, Manager
Compliance Unit
Planning and Reporting Section
Division of Land Pollution Control

BSW:JH:LS:jas/1058q,63

cc: Division File
Maywood Region
John Maher
Lizz Schwartzkopf



Illinois Environmental Protection Agency

P. O. Box 19276, Springfield, IL 62794-9276

File

217/782-6761

Refer to: 0310240005 -- Cook County
Clark Oil & Refining Corporation
ILD0005109822
Compliance File

COMPLIANCE INQUIRY LETTER

Certified #P 367,391,225

April 15, 1991

Clark Oil & Refining Corporation
Attn: Stafford Jacques
131st Street & Kedzie Avenue
Blue Island, Illinois 60406

Dear Mr. Jacques:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 Ill. Adm. Code, Subtitle G, Parts 722 and 728 and to notify you about the apparent violations identified in Attachment A and your plans to correct these apparent violations.

The Agency's findings of apparent non-compliance listed in Attachment A are based on an inspection completed on February 1, 1991. For your convenience a copy of the inspection report is enclosed with this letter.

Further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.

If you have any questions regarding the above, please contact John Maher at 708/531-5900.

Sincerely,

Brian S. White, Manager
Compliance Unit
Planning and Reporting Section
Division of Land Pollution Control

BSW:JM:LS:jas/1058q,61

cc: Division File
Maywood Region
John Maher
Lizz Schwartzkopf



Illinois Environmental Protection Agency

P. O. Box 19276, Springfield, IL 62794-9276

Attachment A

1. Pursuant to 35 Ill. Adm. Code 722.120(a), a generator must prepare a manifest before transporting or offering for transportation hazardous waste for off site treatment, storage or disposal. You are in apparent violation of 35 Ill. Adm. Code 722.120(a) for the following reason(s):
You have not been manifesting your spent mineral spirits to the treatment facility.

LS:jas/1058q,62

95081000489



CLARK OIL & REFINING CORPORATION

131st and Kedzie Avenue
Post Office Box 297
Blue Island, Illinois 60406
(708) 385-5000
FAX (708) 385-0781

February 27, 1991

RECEIVED
MAR 4 - 1991
OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

RECEIVED
MAR 01 1991

David Ulrich
Director, Office of RCRA
U.S. Environmental Protection Agency
Region V
230 S. Dearborn Street
Chicago, Illinois 60604

U.S. EPA, REGION V
WASTE MANAGEMENT DIVISION
OFFICE OF THE DIRECTOR

Re: Clark Oil & Refining Corporation
Blue Island, Illinois
ILD 005 109 822

Dear Mr. Ulrich:

This letter is a follow-up to the USEPA inspection of February 11, 1991.

Clark is seeking an extension of the 90 day accumulation limit for the storage of hazardous waste. This extension is for a single roll-off box of leaded tank bottoms. The grant of this extension will have no impact on Clark's overall RCRA status.

The reason for this request is the possibility that 8 yards of leaded tank bottoms were stored in a covered roll-off box for a period greater than 90 days during 1981. Illinois EPA suggested that this request be made to USEPA since USEPA was administering the hazardous waste program during 1981. Clark knows of no objection to the grant of this extension.

Although it is likely that the hazardous waste was stored for less than 90 days, it is assumed for the sake of this request the storage lasted from 91 to 119 days. The grant of this extension will remove any impediment to the Illinois EPA's proper classification of the Clark facility. Clark is and will remain a generator of hazardous waste. Clark has not stored hazardous waste greater than 90 days and does not wish to do so. According to an FOIA submittal, the only indication that Clark may have stored hazardous waste longer than 90 days relates to this single instance in 1981 and is based solely on Clark's lack of certainty that storage was for less than 90 days. There is no indication that storage was for greater than 90 days.

David Ulrich
U.S. Environmental Protection Agency
February 27, 1991
Page Two

Delisting of this particular 8 yards of hazardous waste was also discussed with Illinois EPA. Although testing demonstrated that the waste had no hazardous characteristics, it was believed that delisting would involve an even more cumbersome administrative undertaking than a request for extension of the 90 day storage period.

Closure was also discussed with Illinois EPA. However, a closure filing cannot be made since Clark cannot state that storage of hazardous waste for a period greater than 90 days actually occurred. In addition, Clark does not wish to operate a storage facility or a closed storage facility. Since the storage period is in question, (but unquestionably less than 120 days), a 30 day extension was considered to be the most effective means to resolve this matter.

Please let me know if you need any information or data to assist in this request.

Sincerely yours,

CLARK OIL & REFINING CORPORATION



John T. Bernbom
Director of Environmental Control

JTB/dlg

copy to Robert Fuhrer, USEPA



CLARK OIL & REFINING CORPORATION

131st and Kedzie Avenue
Post Office Box 297
Blue Island, Illinois 60406
(708) 385-5000
FAX (708) 385-0781

0310240005 - - Cook County
ILD 005109822 ← USEPA#
Compliance File

RECEIVED
FEB 7 1991

February 6, 1991

Illinois Environmental Protection Agency
P.O. Box 19276
2200 Churchill Road
Springfield, IL 62794-9276

ILL. E.P.A. - D.L.P.C.
STATE OF ILLINOIS

Re: Manifest # IL 5109849

Illinois Environmental Protection Agency:

Please find enclosed copy number 5 of Uniform Hazardous Waste Manifest (UHW) number IL 5109849. This manifest is for a shipment of waste transported on December 19, 1990.

Due to an oversight by a Safety-Kleen driver who serviced a parts washer we have on site, an UHW was not completed when the waste mineral spirits (petroleum naphtha) was taken off site. The Safety Kleen driver assumed Clark was a small quantity generator since only 24 gallons of mineral spirits were removed the driver only completed Safety-Kleen's own shipping paper (see attached). This was the first time the unit was serviced since installation.

We apologize for this oversight and any inconvenience this may have caused. If you have any further questions, please do not hesitate to contact me.

Sincerely yours,

Ronald Snook
Environmental Specialist

cc: John Maher
IEPA - Maywood

RDS/epa

RECEIVED
28 MAR 1991
IEPA/DLPC



STATE OF ILLINOIS

ENVIRONMENTAL PROTECTION AGENCY DIVISION OF LAND POLLUTION CONTROL

SAFETY-KLEEN CORP.
STATE PRESCRIBED FORM
5-034-05

P.O. BOX 19276

SPRINGFIELD, ILLINOIS 62794-9276 (217) 782-6761

State Form LPC 62 8/81 IL532-0610

FOR SHIPMENT OF HAZARDOUS, INFECTIOUS
AND SPECIAL WASTE.

NOTE: FORM DESIGNED TO PRINT 8 LINES PER INCH

EPA Form 8700-22 (6-89)

Form Approved. OMB No. 2050-0039 Expires 9-30-91

| | | | | | |
|--|--|--|--|--|--|
| UNIFORM HAZARDOUS WASTE MANIFEST | | 1. Generator's US EPA ID No. ILD005109822 | Manifest Document No. MS2702 | 2. Page 1 of 1 | Information in the shaded areas is not required by Federal law, but is required by Illinois law. |
| 3. Generator's Name and Mailing Address Clark Oil & Refining 131st & Kedzie Blue Island IL 60406 | | Location If Different: | | A. Illinois Manifest Document Number IL5109849 | |
| 4. Generator's Phone (708) 385-5000 | | 6. US EPA ID Number ILD051060408 | | B. Illinois Generator's ID 0310240005 | |
| 5. Transporter 1 Company Name Safety Kleen Corp | | 8. US EPA ID Number | | C. Illinois Transporter's ID 1422 | |
| 7. Transporter 2 Company Name | | 10. US EPA ID Number 5-034-05 | | D. Transporter's Phone 708 479-1064 | |
| 9. Designated Facility Name and Site Address SAFETY-KLEEN CORP. 9631 W 194TH PLACE MOKENA, IL 60448 | | 11. US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number) WASTE PETROLEUM NAPHTHA COMBUSTIBLE LIQUID UN1255(D001)(ERG #27) | | E. Illinois Transporter's ID 1970600001 | |
| | | 12. Containers No. Type 202 DM 20024 | | F. Facility's Phone 708 479-1064 | |
| | | 13. Total Quantity 1 | | G. Facility's ID 1970600001 | |
| | | 14. Unit Wt/Vol 1 | | H. Facility's Phone 708 479-1064 | |
| | | 15. Special Handling Instructions and Additional Information EMERGENCY RESP# 1-708-697-8460 OR 1-708-368-4660 (24 HR) 5-034-05-4068 PP# 52702 SKDOT# A: 501 D: C: D: | | K. Handling Codes for Wastes Listed Above in Item #14 1 - Gallons 2 - Cubic Yards | |
| 16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford. | | Printed/Typed Name RONALD SNOOK | | Signature <i>Ronald Snook</i> | |
| 17. Transporter 1 Acknowledgement of Receipt of Materials | | Printed/Typed Name <i>Edna M. [Signature]</i> | | Signature <i>Edna M. [Signature]</i> | |
| 18. Transporter 2 Acknowledgement of Receipt of Materials | | Printed/Typed Name | | Signature | |
| 19. Discrepancy Indication Space PLEASE DISREGARD SIGNATURE IN BOX #20. TRANSPORTER 1 SIGNED BY MISTAKE. | | 20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in item 19. | | Date Month Day Year 12/16/11 | |
| | | Printed/Typed Name <i>Edna M. [Signature]</i> | | Signature <i>Edna M. [Signature]</i> | |

This Agency is authorized to require, pursuant to Illinois Revised Statutes, Chapter 111 1/2 Section 21, that this information be submitted to the Agency. Failure to provide the information may result in a civil penalty against the owner or operator of not to exceed \$25,000 per day of violation. Falsification of this information may result in a fine up to \$50,000 per day of violation and imprisonment up to 5 years. This form has been approved by the Forms Management Center.

COPY 5. GENERATOR MAIL TO IEPA





CLARK OIL & REFINING CORPORATION

131st and Kedzie Avenue
Post Office Box 297
Blue Island, Illinois 60406
(708) 385-5000
FAX (708) 385-0781

December 26, 1990

RECEIVED
DEC 27 1990

U.S. EPA, REGION V
WASTE MANAGEMENT DIVISION
OFFICE OF THE DIRECTOR

David Ullrich
Associate Director, Office of RCRA
Waste Management Division
United States Environmental Protection Agency
Region 5
230 South Dearborn Street
Chicago, Illinois 60604

Re: Clark Oil & Refining Corporation
Blue Island, Illinois
ILD 005 109 822

Dear Mr. Ullrich:

This letter is a follow-up to Clark's correspondence of August 2, 1990 (copy attached for your reference).

Thank you for considering the Clark submittal. Please advise if there is a need for any further information.

Sincerely yours,

CLARK OIL & REFINING CORPORATION


John T. Bernbom
Director of Environmental Control

JTB/dlg

Attachment

RECEIVED
DEC 27 1990
OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V



CLARK OIL & REFINING CORPORATION

131st and Kedzie Avenue
Post Office Box 297
Blue Island, Illinois 60406
(708) 385-5000
FAX (708) 385-0781

November 9, 1990

RECEIVED
NOV 13 1990
OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

William E. Muno
Acting Associate Director
Office of RCRA
U.S. Environmental Protection Agency
Region 5
230 South Dearborn Street
Chicago, Illinois 60604

Dear Mr. Muno:

Thank you for your letter dated November 6, 1990 concerning the national capacity variance for petroleum refinery wastes. Please be advised that Clark has taken the necessary steps to be in compliance with these requirements prior to effective date, and that Clark will continue to maintain compliance. Please provide Clark with any additional information or guidelines concerning this important issue.

Sincerely yours,

CLARK OIL & REFINING CORPORATION

John T. Bernbom
Director of Environmental Control

JTB/dlg

NOV 06 1990

5HR-13

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clark Oil & Refining Corp.
131st & Kedzie Avenue
Blue Island, Illinois 60406

Re: Clark Oil & Refining Corp.
ILD 005 109 822

Dear Sir or Madam:

The purpose of this letter is to inform you of the November 7, 1990, date of the expiration of the national capacity variance for petroleum refinery wastes, K048-K052. As you are aware under the Third Third rule, EPA granted an additional three-month national capacity variance for these wastes (55 FR 22641, June 1, 1990). The variance expires on November 7, 1990.

As of November 8, 1990, you, as the generator of these wastes, must treat the K048-K052 wastes to BDAT standards prior to land disposal, unless one of these three situations exists:

1. You have received final approval for a case-by-case extension (RCRA Section 3004(h)(3) and 40 CFR 268.5) as published in the Federal Register, or
2. You have received final approval for a "no-migration" variance (40 CFR 268.6) as published in the Federal Register, or
3. You or the treatment facility has received a treatability variance (40 CFR 268.44) for the particular waste stream(s).

The Agency anticipates that it will not issue any final decisions on any petitions for variances or extensions prior to November 8, 1990. During the period of the national capacity variance, you should have been exploring and implementing alternatives to the land disposal of untreated K048-K052 wastes.

The Agency is committed to carrying out the mandate established by Congress in RCRA Section 3004 of the Hazardous and Solid Waste Amendments of 1984. We will be conducting inspections and taking subsequent enforcement actions appropriate to the nature of the violations relating to the Land Disposal

Restrictions regulations soon after the November 8, 1990, date. We strongly advise you to take any necessary steps to be in compliance with these important requirements on the effective date.

Sincerely yours,

ORIGINAL SIGNED BY/
KARL BREMER

William E. Muno
Acting Associate Director
Office of RCRA

cc: E. William Radlinski
Glenn Savage
Illinois Environmental Protection Agency

| SIGNATURE/INITIAL CONCURRENCE REQUESTED - RCRA ENFORCEMENT BRANCH (REB) | | | | | | | | | |
|---|------|-----------------------|-----------------------|-----------------------|--------------------------|--------------------------|------------------------|------------------------|-----------------------------|
| TYP. | AUTH | IL/IN TES CHIEF | MI/WI TES CHIEF | MN/OH TES CHIEF | IL/MI/WI EPS CHIEF | IN/MN/OH EPS CHIEF | REB BRANCH CHIEF | RCRA ASSOC. DIR. | WMD DIVISION DIRECTOR |
| APD 11/5/90 | | | | | | SKS 11-5-90 | 20P 11-6-90 | WES 11/6/90 | |



CLARK OIL & REFINING CORPORATION

131st and Kedzie Avenue
Post Office Box 297
Blue Island, Illinois 60406
(708) 385-5000
FAX (708) 385-0781

August 2, 1990

RECEIVED
AUG 6 1990

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

RECEIVED
AUG 06 1990

U.S. EPA, REGION V
WASTE MANAGEMENT DIVISION
OFFICE OF THE DIRECTOR

David Ullrich
Associate Director, Office of RCRA
Waste Management Division
United States Environmental Protection Agency
Region 5
230 South Dearborn Street
Chicago, Illinois 60604

Re: Clark Oil & Refining Corporation
Blue Island, Illinois
ILD 005 109 822

Dear Mr. Ullrich:

After careful consideration and review of documents received under the United States and Illinois Freedom of Information Act, Clark submits its response to your correspondence of January 8, 1990. That correspondence stated the following conclusion:

The U.S. EPA has decided that a 30-day extension will not be granted. In 1980, Clark Oil submitted the Part A of its application to continue storing hazardous waste accumulated on-site for longer than 90 days. Then, in 1981, Clark Oil stored hazardous waste under the interim status standards contained in 40 CFR 265. The Company did not seek the exemption available under 40 CFR 262.34 for generators who do not wish to operate under 40 CFR 265, until 1982. Therefore, since Clark Oil actually operated a regulated storage unit under 40 CFR 265, the unit must be closed under an approved closure plan before 40 CFR 262.34 would apply.

Please consider the response to each conclusion.

a) The U.S. EPA has decided that a 30-day extension will not be granted.

David Ullrich
United States Environmental Protection Agency
August 2, 1990
Page Two

According to 40 CFR 262.34(b), the Regional Administrator can exercise discretion and grant an extension up to 30 days to permit generator accumulation of hazardous waste in excess of 90 days. This grant, made on a case-by-case basis, will be allowed if the additional storage time is necessitated by unforeseen, temporary, and uncontrollable circumstances. Attachment A to this letter states the circumstances of accumulation.

b) In 1980, Clark Oil submitted the Part A of its application to continue storing hazardous waste accumulated on-site for longer than 90 days.

Clark submitted Part A as a "protective filing" due to regulatory uncertainty. Clark never intended to treat, store, or dispose of hazardous waste. In 1983 Clark began the process to withdraw its Part A application.

c) Then, in 1981, Clark Oil stored hazardous waste under the interim status standards contained in 40 CFR 265.

Clark sought to learn the basis of this statement. Based on documents submitted by USEPA and Illinois EPA under the Freedom of Information Act, Clark determined that this conclusion was due to the handling of a waste that left the Clark facility on November 3, 1981. It was also determined that there is no support for the absolute conclusion that storage in excess of 90 days occurred. Clark remains unsure of the period of accumulation of this waste (see Attachment A). Although it is likely that accumulation was less than 90 days, for purposes of this submittal Clark recognizes that accumulation may have been up to 119 days. The only apparent information relied on by USEPA was based on Clark's oral and written statements that accumulation could have been from approximately 75 days up to no more than 119 days.

David Ullrich
United States Environmental Protection Agency
August 2, 1990
Page Three

d) The Company did not seek the exemption available under 40 CFR 262.34 for generators who do not wish to operate under 40 CFR 265, until 1982.

Clark sought an extension under 40 CFR 262.34 during 1988. Since there is no apparent restriction on the timing of a request pursuant to 40 CFR 262.34(b), Clark urges that its request for a 30 day extension now be granted.

e) Therefore, since Clark Oil actually operated a regulated storage unit under 40 CFR 265, the unit must be closed under an approved closure plan before 40 CFR 262.34 would apply.

Clark accumulated the waste in question for a period of time from approximately 75 days up to no more than 119 days. For the purpose of this request, it is assumed that there is a need for a 30 day extension and thus it is requested that a 30 day extension be granted. The need for a 30 day extension is due to the fact that the period of accumulation time is unknown. If the accumulation time was known to be less than 90 days, a request for extension would obviously be unnecessary.

Thank you for considering this submittal. Please advise if there is a need for further information.

Sincerely yours,

CLARK OIL & REFINING CORPORATION



John T. Bernbom
Director of Environmental Control

JTB/dlg

Attachment

Attachment A

What follows is a chronology of events concerning the waste generation:

| | <u>Event</u> | <u>Action Party</u> |
|----------|--|------------------------------|
| 7/7/81 | Sampling and sample delivery to independent laboratory. | Clark |
| 7/22/81 | Sample tests completed and mailed to Clark. | Independent laboratory |
| 7/23/81 | Sample test results received. Waste Profile sheet and Certification of Representative Sample prepared. | Clark |
| 7/24/81 | Sample, Certification of Representative Sample, and Waste Profile sheet delivered to landfill operator laboratory. | Clark |
| 8/10/81 | Sample analysis completed. | Landfill operator laboratory |
| 8/24/81 | Application sent to IEPA for permit. | Landfill operator |
| 8/27/81 | Application received. | IEPA |
| 10/16/81 | Permit issued. | IEPA |
| 10/30/81 | Permit copy received. | Clark |
| 11/3/81 | Waste taken off site to landfill. | Clark |

It is not known when the waste was generated during the above process. Although it is likely that the waste was generated after August 5, a worst case analysis would assume generation on July 7 resulting in 119 days of accumulation.

Using this worst case analysis, what follows is a time allocation:

| <u>Action Party</u> | <u>Action</u> | <u>Days</u> |
|---|--|-------------|
| Clark | Document preparation and sample delivery. Hauling waste off site. | 5 |
| Independent laboratory | Sample testing and result reporting. | 16 |
| Landfill operator and laboratory | Sample testing and permit application preparation and submission. | 34 |
| Regulatory agency (IEPA) | Permit approval and issuance | 64 |
| | Total | <u>119</u> |

Thus assuming 119 days of accumulation, only 4% of the time was attributable to Clark activities with more than half of the time attributable to governmental action. As a result, it is clear that the passage of time was primarily "uncontrollable" by Clark. Since the waste moved off site, the passage of time was also "temporary." Finally, the waste generation was the first of its kind by Clark under the regulations. One could not anticipate 64 days of governmental action and 50 days of outsider action. As a result, the passage of time was "unforeseen."

In conclusion, Clark has met the standards set forth in 40 CFR 262.34(b) justifying a discretionary 30 day extension to be granted by the Regional Administrator.



Illinois Environmental Protection Agency

P. O. Box 19276, Springfield, IL 62794-9276

217/782-6761

Refer to: 0310240005 -- Cook County
Clark Oil & Refining Corp.
ILD005109822
Compliance File

March 8, 1990

Clark Oil & Refining Corp.
Attn: John Bernbom
131st Street & Kedzie Avenue
Blue Island, Illinois 60406

Dear Mr. Bernbom:

The Agency is in receipt of your February 7, 1990 response(s) to our January 10, 1990 Pre-Enforcement Conference. Your response(s) has been reviewed and the apparent violation(s) of Section(s) 725.212(a) and 725.242(a) are now considered resolved.

If you have any questions, please contact Donna Czech at 708/345-9780.

Sincerely,

Angela Aye Tin, Manager
Technical Compliance Unit
Compliance Section
Division of Land Pollution Control

AAT:BW/mls/0774n/61

cc: Division File ✓
Maywood Region
Donna Czech
Brian White



Illinois Environmental Protection Agency

1701 First Avenue, Maywood, IL 60153

708/345-9780

Refer to: 0310240005 - Cook County
Blue Island/Clark Oil & Refining Corp.
ILD005109822
Compliance File

Certified Mail #P062 394 943
Return Receipt Requested

January 10, 1990

Clark Oil & Refining Corp.
Attn: John Bernbom
131st Street & Kedzie Avenue
Blue Island, Illinois 60406

Dear Mr. Bernbom:

On January 10, 1990 a Pre-Enforcement Conference was held at the Illinois Environmental Protection Agency's Maywood office. The purpose of this meeting was to discuss the apparent violations identified in the Agency's December 15, 1989 Pre-Enforcement Conference Letter addressed to your facility. The following individuals were in attendance:

| | |
|------------------|------------|
| Ronald Snook | Clark Oil |
| Stafford Jacques | Clark Oil |
| Clifford Gould | DLPC, IEPA |
| Donna Czech | DLPC, IEPA |

Clark Oil & Refining Corp. has agreed to submit the necessary documentation to address the following violations on or before February 16, 1990:

1. 725.212(a) - No closure plan for the container storage area.
2. 725.242(a) - No closure cost estimate for the container storage area.

Please send any original documents to the first address below with a copy to the second address:

Angela Aye Tin, Manager
Technical Compliance Unit
Compliance Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

RECEIVED

JAN 18 1990

IEPA/DLPC

January 10, 1990
Page 2

Donna Czech
Illinois Environmental Protection Agency
Division of Land Pollution Control
1701 South First Avenue - Suite 600
Maywood, Illinois 60153

If the Agency does not hear from you within ten (10) calendar days from the date of this letter, the Agency will assume that this document accurately reflects the agreement made during the meeting.

If you have any questions regarding the above, please contact Donna Czech at 708/345-9780.

Sincerely,



Clifford Gould, Northern Region Manager
Field Operations Section
Division of Land Pollution Control

CG:DJC:bh:4558B

cc: Division File
Maywood Region
Donna Czech
Brian White

7 5 0 6 1 0 0 0 4 5 3



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

JAN 08 1990

5HR-13

Certified Mail P461573457
Return Receipt Requested

Mr. John T. Bernbom
Clark Oil & Refining Corporation
131st and Kedzie Avenue
P.O. Box 297
Blue Island, Illinois 60406

Re: Clark Oil & Refining Corporation
Blue Island, Illinois
ILD 005 109 822

Dear Mr. Bernbom:

The United States Environmental Protection Agency (U.S. EPA) has reviewed your "retroactive" 30 day extension request for the accumulation of hazardous waste in containers to November 4, 1981. The information submitted by Clark Oil states that no hazardous waste or hazardous materials have entered the environment from this disposal area.

The U.S. EPA has decided that a 30-day extension will not be granted. In 1980, Clark Oil submitted the Part A of its application to continue storing hazardous waste accumulated on-site for longer for 90 days. Then, in 1981, Clark Oil stored hazardous waste under the interim status standards contained in 40 CFR 265. The Company did not seek the exemption available under 40 CFR 262.34 for generators who do not wish to operate under 40 CFR 265, until 1982. Therefore, since Clark Oil actually operated a regulated storage unit under 40 CFR 265, the unit must be closed under an approved closure plan before 40 CFR 262.34 would apply.

The U.S. EPA requires that a formal closure of the storage area be completed to assure protection of human health and the environment. This closure plan must be submitted to and approved by the Illinois Environmental Protection Agency.

| RCRA PERMITS | TYP. | AUTH. | IL. CHIEF | IN. CHIEF | MI. CHIEF | MN/WI CHIEF | OH. CHIEF | RPS CHIEF | O.R. A.D.D. | WJIA |
|--------------|--------|--------|-----------|-----------|-----------|-------------|-----------|-----------|-------------|------|
| | RAF | RAF | gjt | | | | | 235 | DM | |
| | 1/5/89 | 1/5/89 | 1/5/90 | | | | | 1/5/90 | 1/8/90 | |

CP 1/5/90 CUL 1/5/90

If there are any questions concerning this decision, please contact
Mr. Robert Fuhrer of my staff, at (312) 353-4889.

Sincerely,

ORIGINAL SIGNED BY
DAVID A. ULLRICH

David Ullrich
Associate Director, Office of RCRA
Waste Management Division

cc: Joe Boyle, U.S. EPA
Larry Eastep, IEPA

legend?

5 HR-13:RAF:raf:3-4889:1/5/90:19:Clark



Illinois Environmental Protection Agency

P. O. Box 19276, Springfield, IL 62794-9276

217/782-6/b1

Refer to: 0310240005 -- Cook County
Clark Oil & Refining Corp.
ILD005109822
Compliance File

PRE-ENFORCEMENT CONFERENCE LETTER

Certified # P 115 239 102

December 15, 1989

Clark Oil & Refining Corp.
Attn: John Bernbom
131st St. & Kedzie Avenue
Blue Island, Illinois 60406

Dear Mr. Bernbom:

By copy of this letter the Agency hereby informs Clark Oil & Refining Corp. of apparent violations of the Illinois Environmental Protection Act and/or rules and regulations adopted thereunder. These apparent violations are set forth in Attachment A of this letter.

As a result of these apparent violations, it is our intent to refer this matter to the Agency's legal staff for the preparation of a formal enforcement case. The Agency's legal staff will, in turn, refer this matter to the Office of Attorney General or to the United States Environmental Protection Agency for the filing of a formal complaint.

Prior to taking such action, however, you are requested to attend a Pre-Enforcement Conference to be held at The Illinois Environmental Protection Agency, 1701 South First Avenue, Suite 600, Maywood, Illinois. The purpose of this Conference will be:

1. To discuss the validity of the apparent violations noted by Agency staff, and
2. To arrive at a program to eliminate existing and/or future violations.

You should, therefore, bring such personnel and records to the conference as will enable a complete discussion of the above items. We have scheduled the Conference for Wednesday, January 10, 1990, at 9:30 a.m.. If this arrangement is inconvenient, please contact Donna Czech at 708/345-9780 to arrange for an alternative date and time.



Page 2

In addition, please be advised that this letter constitutes the notice required by Section 31(d) of the Illinois Environmental Protection Act prior to the filing of a formal complaint. The cited Section of the Illinois Environmental Protection Act requires the Agency to inform you of the charges which are to be alleged and offer you the opportunity to meet with appropriate officials within thirty days of this notice date in an effort to resolve such conflict which could lead to the filing of formal action.

Sincerely,

Harry A. Chappel, P.E., Manager
Compliance Section
Division of Land Pollution Control

aoe
HAC:DC:CLN:sap/4322k,1-3

Attachment

cc: Division File ✓
Maywood Region
Donna Czech
Brian White

95081000442



Attachment A

1. Pursuant to 35 Ill. Adm. Code 725.212(a), the owner or operator of a hazardous waste management facility shall have a written closure plan. Until final closure is completed and certified in accordance with Section 725.215, a copy of the most current plan must be furnished to the Agency upon request including request by mail. In addition, for facilities without approved plans, it must also be provided during site inspections on the day of inspection to any officer, employee or representative of the Agency.

You are in apparent violation of 35 Ill. Adm. Code 725.212(a) for the following reason(s): You did not have a closure plan available for the regulated container storage area.

2. Pursuant to 35 Ill. Adm. Code 725.242(a), the owner or operator shall have a detailed written estimate, in current dollars, of the cost of closing the facility in accordance with the requirements in Sections 725.211 through 725.215 and applicable closure requirements of Sections 725.297, 725.328, 725.358, 725.380, 725.410, 725.451, 725.481 and 725.504.
 1. The estimate must equal the cost of final closure at the point in the facility's active life when the extent and manner of its operation would make closure the most expensive, as indicated by its closure plan (see Section 725.212(b)); and
 2. The closure cost estimate must be based on the costs to the owner or operator of hiring a third party to close the facility. A third party is a party who is neither a parent nor a subsidiary of the owner or operator. (See definition of "parent corporation" in Section 725.241(d).) The owner or operator may use costs for on-site disposal if the owner or operator can demonstrate that on-site disposal capacity will exist at all times over the life of the facility.
 3. The closure cost estimate must not incorporate any salvage value that may be realized by the sale of hazardous wastes, facility structures or equipment, land or other facility assets at the time of partial or final closure.
 4. The owner or operator shall not incorporate a zero cost for hazardous waste which may have economic value.

You are in apparent violation of 35 Ill. Adm. Code 725.242(a) for the following reason(s): You did not have a closure cost estimate available for the regulated container storage area.

95081000443



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

NOV 1 1989

REPLY TO ATTENTION OF:

NOV 6 1989

5HR-13

Mr. Ron Snook
Clark Oil & Refining Corporation
131st and Kedzie Avenue
P.O. Box 297
Blue Island, Illinois 60406

Re: Clark Oil & Refining Corporation
Blue Island Refinery
ILD 005 109 822

Dear Mr. Snook:

The U.S. Environmental Protection Agency (U.S.EPA) is reviewing your "retro-active" 30 day extension request for the accumulation of hazardous waste to November 4, 1981. The information submitted by Clark Oil states that no hazardous waste or hazardous materials have entered the environment from this disposal area.

The U.S. EPA is currently in the process of making a decision on the requested extension of accumulation. This may include a site visit by U.S. EPA personnel in the near future.

Sincerely,

George Hamper

George Hamper, Chief
Illinois Section
RCRA Permitting Branch

cc: Joe Boyle, U.S. EPA
Larry Eastep, IEPA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

DATE: 11/17/89
SUBJECT: Clark Oil- Blue Island, Request for 30-day extension
FROM: Robert Fuhrer *Robert Fuhrer*
TO: Joe Boyle

Enclosed in this package is:

1. a letter to Clark Oil stating that we are reviewing their request;
2. draft letters granting and denying Clark Oils request;
- and 3. a letter from Clark asking for the 30-day extension with copies of the enclosure from September 1989.

George and I have discussed this request and have wanted to plan a meeting with you about this, but have been unable to arrange a meeting so far. The question is that Clark Oil "accumulated" eight (8) yards of K052 (leaded tank bottoms) longer than 90 days. This material was disposed of on 11/3/81 at CID. According to ⁴⁴§262.34 (b) accumulation time can be decided at the discretion of the Administrator.

Since 1981, the chemical portion of the Clark Oil site was sold to a company called BTL. The IEPA inspectors (Rich Finley and Tom Enno) seem to indicate that there is "gross contamination" of the chemical portion (if I remember correctly) of the site with K022, distillates, bottoms tars, cumene, and phenol contamination. We feel that if we granted a 30-day extension there would be no way to enforce a clean-up of the facility. Therefore we need your input before a decision is made.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

REPLY TO ATTENTION OF:

Sent 11/16/81

5HR-13

Mr. Ron Snook
Clark Oil & Refining Corporation
131st and Kedzie Avenue
P.O. Box 297
Blue Island, Illinois 60406

Re: Clark Oil & Refining Corporation
Blue Island Refinery
ILD 005 109 822

Dear Mr. Snook:

The U.S. Environmental Protection Agency (U.S.EPA) is reviewing your "retro-active" 30 day extension request for the accumulation of hazardous waste to November 4, 1981. The information submitted by Clark Oil states that no hazardous waste or hazardous materials have entered the environment from this disposal area.

The U.S. EPA is currently in the process of making a decision on the requested extension of accumulation. This may include a site visit by U.S. EPA personnel in the near future.

Sincerely,

*Signed by
J.R.*

George Hamper, Chief
Illinois Section
RCRA Permitting Branch

cc: Joe Boyle, U.S. EPA
Larry Eastep, IEPA



CLARK OIL & REFINING CORPORATION

131st and Kedzie Avenue
Post Office Box 297
Blue Island, Illinois 60406
(312) 385-5000

September 12, 1989

RECEIVED
SEP 15 1989

OFFICE OF RCRA
WASTE MANAGEMENT DIVISION
EPA, REGION V

George Hamper, Chief
Waste Management Branch
U.S. Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, Illinois 60604

Re: Clark Oil & Refining Corporation
Blue Island Refinery
ILD 005 109 822

Dear Mr. Hamper:

This letter is submitted in response to a recent telephone conversation between you and Clark personnel concerning the above. Clark submitted a RCRA Part A application on November 17, 1980. This submittal was based on a belief that certain Clark activities may constitute the storage or treatment of hazardous waste. Clark subsequently discovered that its activities constituted only generation of hazardous waste. Due to the fact that Clark did not engage in the treatment, storage or disposal of hazardous waste, Clark sought to withdraw its Part A application. Clark's request to be classified as generator-only status has been pending since November of 1982.

Clark inquiries have found that the apparent reason the withdrawal request has not been granted is that an accumulation time during 1981 for generated leaded gasoline tank bottoms (K052) may have been greater than 90 days. Clark records establish that the accumulation period before shipping off site ranged from less than 90 days to no more than 119 days. For purposes of your

George Hamper, Chief
U.S. Environmental Protection Agency
September 12, 1989
Page Two

evaluation, we are assuming a worst case analysis of 119 days of accumulation. As a result, Clark requests USEPA grant a 30 day extension, until November 4, 1981, permitting Clark to accumulate this hazardous waste on site without interim status.

Enclosed are copies of relevant documents and a chronology. The chronology and documentation demonstrates prompt action by Clark each time action was controlled by Clark. Any delay was due to circumstances beyond the control of Clark.

Clark has considered closure as an alternative to a retroactive 30 day extension but finds the circumstances during the on site holding period not indicative of closure. Although a listed waste, characteristic category testing found the waste nonhazardous. No waste entered the environment; it was contained in an elevated lined and covered steel roll-off box (20' L x 6' W x 4' D) from which no leakage occurred. While awaiting transit off site, it was situated in a secure refinery area used round-the-clock in refinery operations. Since nothing entered the environment a "closure" as regards this accumulation was decided as not the action to undertake. Further, although Clark cannot establish that the accumulation time was less than 90 days, Clark cannot establish that the accumulation time was greater than 90 days. As a result, closure would be based upon an accumulation time that cannot be verified by Clark.

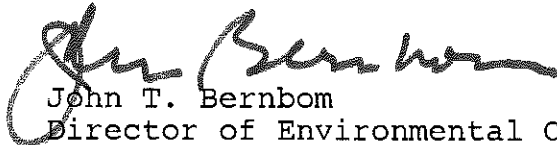
Clark has discussed generator-only status with the Illinois Environmental Protection Agency. They advised, in a letter dated April 27, 1988, that their agency does not have legal authority to grant extension to an accumulation period which occurred prior to the time the program implementation was transferred to Illinois.

George Hamper, Chief
U.S. Environmental Protection Agency
September 12, 1989
Page Three

Clark asks that it be granted a 30 day extension to November 4, 1981 for accumulation of waste removed off site on Illinois manifest 0367821 and that interim status for the site be withdrawn and replaced by generator-only status.

Your attention to our request will be appreciated.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John T. Bernbom", is written over the typed name and title.

John T. Bernbom
Director of Environmental Control

dlg

Enclosures

ATTACHMENTS

- a) Part "A" Application
- b) Chronology of events
- c) Plot plans of 800 tank farm and roll-off box
- d) Leaded gasoline tank bottoms analytical results
- e) Chemical Waste Management analytical results
- f) Illinois EPA hazardous waste permit #812076
- g) Special waste hauling manifest #0367821
- h) Letter to Andrew Vollmer, IEPA, dated 8/2/83
Requesting interim status to be modified.
- i) Letter from Karl J. Klepitsch, USEPA, dated 1/27/84
Requiring Clark to resubmit request to withdraw
Part "A" with correct signature and
certification.
- j) Letter from Karl J. Klepitsch, USEPA, dated 12/18/84
Stating Clark did not respond to 1/27/84 letter
so Clark qualified as an accumulation facility.
- k) Letter to Karl J. Klepitsch, USEPA, dated 1/10/85
Requesting Part "A" withdrawal.
- l) Letter from Arthur S. Kawatachi, USEPA, dated 6/19/85
Requiring Clark to resubmit request to withdraw
Part "A" with correct signature and
certification.
- m) Letter to Arthur S. Kawatachi, USEPA, dated 7/24/84
Request withdrawal of Part "A"
- n) Letter to Valdas Adamkus, USEPA, dated 10/8/85
Explaining reason for Part "A" withdrawal and
leaded tank bottom possible problem.
- o) Letter to Larry Eastep, IEPA, dated 12/10/87
Requesting a statement that IEPA classified
Clark as a generator-only.
- p) Analytical results from soil sampling in 800 tank
farm

- q) Letter to Clifford Gould, IEPA, dated 2/18/88
Stated the sampling he requested was completed
and contained a Part "A" withdrawal request.
- r) Letter from Larry Eastep, IEPA, dated 2/19/88
Stating facility container storage must submit
closure plan.
- s) Letter to Larry Eastep, IEPA, dated 8/22/88
Stating Part "A" withdrawal request was
submitted on 2/18/88.
- t) Letter to Amy Dragovich, IEPA, dated 3/28/88
Request for variance.
- u) Letter from Larry Eastep, IEPA, dated 3/28/88
Denied request of 3/3/88 for variance.
- v) Letter to Larry Eastep, IEPA, dated 3/31/88
Responding to letter dated 3/28/88.
- w) Letter from Gary King, IEPA, dated 4/27/88
Stating IEPA does not have authority to grant
the requested variance.
- x) Letter to Karl J. Klepitsch, USEPA, dated 7/15/88
Requesting variance.
- y) Letter to Karl J. Klepitsch, USEPA, dated 10/31/88
Requesting a rule on variance request.
- z) Letter to Karl J. Klepitsch, USEPA, dated 4/14/89
Requesting status update on request for
variance.

Other Existing Permits

Air Emissions From Existing Sources

Permit Number

| | |
|----------|----------|
| 72110519 | 02110532 |
| 72110520 | 72110533 |
| 02110521 | 72110534 |
| 72110522 | 72110535 |
| 02110523 | 02110537 |
| 72110524 | 72110538 |
| 02110526 | 02110539 |
| 72110527 | 03020287 |
| 02110528 | 73020369 |
| 72110529 | 05120061 |
| 02110530 | 06100017 |
| 72110531 | C7912055 |

Other Existing Permits

Air Emissions From Existing Sources

Permit Number

| | |
|----------|----------|
| 72110519 | 02110532 |
| 72110520 | 72110533 |
| 02110521 | 72110534 |
| 72110522 | 72110535 |
| 02110523 | 02110537 |
| 72110524 | 72110538 |
| 02110526 | 02110539 |
| 72110527 | 03020287 |
| 02110528 | 73020369 |
| 72110529 | 05120061 |
| 02110530 | 06100017 |
| 72110531 | C7912055 |



U.S. ENVIRONMENTAL PROTECTION AGENCY
HAZARDOUS WASTE PERMIT APPLICATION

Consolidated Permits Program

(This information is required under Section 3005 of RCRA.)

I. EPA I.D. NUMBER

F I L D 0 0 5 1 0 9 8 2 2 1

FOR OFFICIAL USE ONLY

| APPLICATION NO. | DATE RECEIVED (yr., mo., & day) |
|--------------------|------------------------------------|
| 23 | 24 29 |

COMMENTS

II. FIRST OR REVISED APPLICATION

Place an "X" in the appropriate box in A or B below (mark one box only) to indicate whether this is the first application you are submitting for your facility or a revised application. If this is your first application and you already know your facility's EPA I.D. Number, or if this is a revised application, enter your facility's EPA I.D. Number in Item I above.

A. FIRST APPLICATION (place an "X" below and provide the appropriate date)

☒ 1. EXISTING FACILITY (See instructions for definition of "existing" facility. Complete item below.)

☐ 2. NEW FACILITY (Complete item below.)

FOR EXISTING FACILITIES, PROVIDE THE DATE (yr., mo., & day) OPERATION BEGAN OR THE DATE CONSTRUCTION COMMENCED (use the boxes to the left)

FOR NEW FACILITIES, PROVIDE THE DATE (yr., mo., & day) OPERATION BEGAN OR IS EXPECTED TO BEGIN

B. REVISED APPLICATION (place an "X" below and complete Item I above)

☐ 1. FACILITY HAS INTERIM STATUS

☐ 2. FACILITY HAS A RCRA PERMIT

III. PROCESSES - CODES AND DESIGN CAPACITIES

A. PROCESS CODE - Enter the code from the list of process codes below that best describes each process to be used at the facility. Ten lines are provided for entering codes. If more lines are needed, enter the code(s) in the space provided. If a process will be used that is not included in the list of codes below, then describe the process (including its design capacity) in the space provided on the form (Item III-C).

B. PROCESS DESIGN CAPACITY - For each code entered in column A enter the capacity of the process.

1. AMOUNT - Enter the amount.

2. UNIT OF MEASURE - For each amount entered in column B(1), enter the code from the list of unit measure codes below that describes the unit of measure used. Only the units of measure that are listed below should be used.

| PROCESS | PRO- CESS CODE | APPROPRIATE UNITS OF MEASURE FOR PROCESS DESIGN CAPACITY | PROCESS | PRO- CESS CODE | APPROPRIATE UNITS OF MEASURE FOR PROCESS DESIGN CAPACITY |
|--------------------------------|----------------------------|---|--|-------------------------|---|
| Storage: | | | Treatment: | | |
| CONTAINER (barrel, drum, etc.) | S01 | GALLONS OR LITERS | TANK | T01 | GALLONS PER DAY OR LITERS PER DAY |
| TANK | S02 | GALLONS OR LITERS | | T02 | GALLONS PER DAY OR LITERS PER DAY |
| WASTE PILE | S03 | CUBIC YARDS OR CUBIC METERS | SURFACE IMPOUNDMENT | T03 | TONS PER HOUR OR METRIC TONS PER HOUR; GALLONS PER HOUR OR LITERS PER HOUR |
| SURFACE IMPOUNDMENT | S04 | GALLONS OR LITERS | INCINERATOR | T04 | GALLONS PER DAY OR LITERS PER DAY |
| Disposal: | | | | | |
| INJECTION WELL | D79 | GALLONS OR LITERS | | | |
| LANDFILL | D80 | ACRE-FEET (the volume that would cover one acre to a depth of one foot) OR HECTARE-METER | OTHER (Use for physical, chemical, thermal or biological treatment processes not occurring in tanks, surface impoundments or inciner- ators. Describe the processes in the space provided; Item III-C.) | | |
| LAND APPLICATION | D81 | ACRES OR HECTARES | | | |
| OCEAN DISPOSAL | D82 | GALLONS PER DAY OR LITERS PER DAY | | | |
| SURFACE IMPOUNDMENT | D83 | GALLONS OR LITERS | | | |
| UNIT OF MEASURE | UNIT OF MEASURE CODE | UNIT OF MEASURE | UNIT OF MEASURE CODE | UNIT OF MEASURE | UNIT OF MEASURE CODE |
| GALLONS | G | LITERS PER DAY | V | ACRE-FEET | A |
| LITERS | L | TONS PER HOUR | D | HECTARE-METER | F |
| CUBIC YARDS | Y | METRIC TONS PER HOUR | W | ACRES | B |
| CUBIC METERS | C | GALLONS PER HOUR | E | HECTARES | Q |
| GALLONS PER DAY | U | LITERS PER HOUR | H | | |

EXAMPLE FOR COMPLETING ITEM III (shown in line numbers X-1 and X-2 below): A facility has two storage tanks, one tank can hold 200 gallons and the other can hold 400 gallons. The facility also has an incinerator that can burn up to 20 gallons per hour.

| D U P | | | | | | | | | |
|----------------|---|----------------------------|---|--------------------------------|----------------|---|----------------------------|---|--------------------------------|
| T/A C | | | | | | | | | |
| 1 | | | | | | | | | |
| 12 14 15 | | | | | | | | | |
| LINE NUMBER | A. PRO- CESS CODE (from list above) | B. PROCESS DESIGN CAPACITY | | FOR OFFICIAL USE ONLY | LINE NUMBER | A. PRO- CESS CODE (from list above) | B. PROCESS DESIGN CAPACITY | | FOR OFFICIAL USE ONLY |
| | | 1. AMOUNT (specify) | 2. UNIT OF MEA- SURE (enter code) | | | | 1. AMOUNT | 2. UNIT OF MEA- SURE (enter code) | |
| X-1 | S 0 2 | 600 | G | | 5 | | | | |
| X-2 | T 0 3 | 20 | E | | 6 | | | | |
| 1 | S 0 1 | 40,000 | G | | 7 | | | | |
| 2 | S 0 2 | 1,100,000 | G | | 8 | | | | |
| | T 0 1 | 1,500 | U | | 9 | | | | |
| 4 | T 0 4 | 5,000 | U | | 10 | | | | |

EPA I.D. NUMBER (enter from page 1)

FOR OFFICIAL USE ONLY

W I L D 0 0 5 1 0 9 8 2 2

W DUP

2 DUP

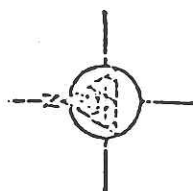
IV DESCRIPTION OF HAZARDOUS WASTES (continued)

| LINE NO. | A. EPA HAZARD. WASTENO (enter code) | B. ESTIMATED ANNUAL QUANTITY OF WASTE | C. UNIT OF MEASURE (enter code) | D. PROCESSES | | | | | | | |
|----------|-------------------------------------|---------------------------------------|---------------------------------|--------------------------|-------|-------|-------|---|--|--|---------------------|
| | | | | 1. PROCESS CODES (enter) | | | | 2. PROCESS DESCRIPTION (if a code is not entered in D(1)) | | | |
| 1 | K O 4 8 | 700 | T | S O 2 | T O 1 | T O 4 | | | | | |
| 2 | K O 4 9 | 2,600 | T | S O 2 | T O 1 | T O 4 | | | | | |
| 3 | K O 5 0 | 1 | T | S O 1 | T O 1 | T O 4 | | | | | |
| 4 | K O 5 1 | 1,200 | T | S O 2 | T O 1 | T O 4 | | | | | |
| 5 | K O 5 2 | 200 | T | S O 1 | S O 2 | T O 1 | T O 4 | | | | |
| 6 | D O 0 1 | 98 | T | S O 1 | T O 1 | T O 4 | | | | | |
| 7 | D O 0 1 | 30 | T | S O 1 | T O 1 | T O 4 | | | | | |
| 8 | D O 0 7 | | | | | | | | | | Included with above |
| 9 | D O 0 8 | | | | | | | | | | Included with above |
| 10 | D O 0 2 | 74 | T | S O 1 | T O 4 | | | | | | |
| 11 | D O 0 3 | 90 | T | S O 1 | T O 4 | | | | | | |
| 12 | D O 0 3 | 1 | T | S O 1 | T O 4 | | | | | | |
| 13 | D O 0 1 | | | | | | | | | | Included with above |
| 14 | D O 0 3 | 700 | T | S O 1 | S O 2 | T O 1 | T O 4 | | | | |
| 15 | D O 0 1 | | | | | | | | | | Included with above |
| 16 | | | | | | | | | | | |
| 17 | | | | | | | | | | | |
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| 24 | | | | | | | | | | | |
| 26 | | | | | | | | | | | |

A

ILITY DRAWING (see page 4)

PLOT PLAN
CLARK OIL-BLUE ISLAND



FEET
0 400

CONTAINER
STORAGE
TREATMENT
AREA
ALKY LINE
NEUTRALIZATION
TANK

1940 FT.

737 FT.

303 FT.

1768 FT.

900 FT.

1768 FT.

1768 FT.

1768 FT.

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1768 FT.

1768 FT.

659 FT.

1161 FT.

1628 FT.

2568 FT.

NORTHWEST PROPERTY
PAST WASTE
PILES AND
IMPOUNDMENT
AREA NO. 2

CONTAINER
STORAGE
TREATMENT
AREA
CHEMICAL AND
RESIN PLANTS

CHEMICAL PLANT
API SEPARATOR
STORAGE
TREATMENT
TANKS

DRUM AND
WASTE
STORAGE

PAST
WASTE
AREA NO. 1

PAST
WASTE
AREA NO. 3

PAST
WASTE
AREA NO. 1

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WASTE
AREA NO. 1

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PAST
WASTE
AREA NO. 1

STORAGE
TREATMENT
TANK

CONTAINER
STORAGE
TREATMENT
AREA

EQUALIZATION
TANK
API SEPARATOR
DAF UNIT AND
OVERHEAD TANK

OVERFLOW
TANK

1246 FT.

1102 FT.

1102 FT.

1102 FT.

1102 FT.

1102 FT.

1102 FT.

1102 FT.

A

1. Read instructions or type in the unshaded areas only
2. In areas are spaced for elite type, i.e., 12 characters/inch.

MAILED 11-18-80 CERTIFIED MAIL No. 342004 "A"

Form Approved OMB No. 158-R0175

| FORM 1 | | U.S. ENVIRONMENTAL PROTECTION AGENCY | | I. EPA I.D. NUMBER | |
|--|--|--|--|-----------------------|--|
| GENERAL INFORMATION | | GENERAL INFORMATION | | I. EPA I.D. NUMBER | |
| Consolidated Permits Program | | Consolidated Permits Program | | I. EPA I.D. NUMBER | |
| (Read the "General Instructions" before starting.) | | (Read the "General Instructions" before starting.) | | I. EPA I.D. NUMBER | |
| I. EPA I.D. NUMBER | | II. FACILITY NAME | | III. FACILITY ADDRESS | |
| ILD005109822 | | CLARK OIL & REFINING CORP | | PO BOX 297 | |
| IV. FACILITY ADDRESS | | V. FACILITY ADDRESS | | VI. FACILITY ADDRESS | |
| BLUE ISLAND, IL 60406 | | BLUE ISLAND, IL 60406 | | BLUE ISLAND, IL 60406 | |
| VII. FACILITY LOCATION | | VIII. FACILITY LOCATION | | IX. FACILITY LOCATION | |
| 131ST & KEDZIE AVE | | 131ST & KEDZIE AVE | | 131ST & KEDZIE AVE | |
| BLUE ISLAND, IL 60406 | | BLUE ISLAND, IL 60406 | | BLUE ISLAND, IL 60406 | |

GENERAL INSTRUCTIONS

If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.

II. POLLUTANT CHARACTERISTICS

INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column. If the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.

| SPECIFIC QUESTIONS | MARK 'X' | | | SPECIFIC QUESTIONS | MARK 'X' | | |
|--|----------|----|---------------|--|----------|----|---------------|
| | YES | NO | FORM ATTACHED | | YES | NO | FORM ATTACHED |
| A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A) | | X | | B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B) | | X | |
| C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C) | | X | | D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D) | | X | |
| E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3) | X | | | F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4) | | X | |
| G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4) | | X | | H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4) | | X | |
| I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5) | | X | | J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5) | | X | |

III. NAME OF FACILITY

1 SKIP CLARK OIL & REFINING CORPORATION

IV. FACILITY CONTACT

A. NAME & TITLE (last, first, & title)

2 BRUGGINK R.H., DIR. ENV. CONTROL

B. PHONE (area code & no.)

312 385 5000

V. FACILITY MAILING ADDRESS

A. STREET OR P.O. BOX

3 P.O. BOX 297

B. CITY OR TOWN

4 BLUE ISLAND

C. STATE

IL

D. ZIP CODE

60406

VI. FACILITY LOCATION

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER

5 131st & KEDZIE AVENUE

B. COUNTY NAME

COOK

C. CITY OR TOWN

6 BLUE ISLAND

D. STATE

IL

E. ZIP CODE

60406

F. COUNTY CODE (if known)

Chronology

| | <u>Event</u> | <u>Action Party</u> |
|----------|--|------------------------------|
| 7/7/81 | Sampling and sample delivery to independent laboratory. | Clark |
| 7/22/81 | Sample tests completed and mailed to Clark. | Independent laboratory |
| 7/23/81 | Sample test results received. Waste Profile sheet and Certification of Representative Sample prepared. | Clark |
| 7/24/81 | Sample, Certification of Representative Sample, and Waste Profile sheet delivered to landfill operator laboratory. | Clark |
| 8/10/81 | Sample analysis completed | Landfill operator laboratory |
| 8/24/81 | Application sent to IEPA for permit. | Landfill operator |
| 8/27/81 | Application received. | IEPA |
| 10/16/81 | Permit issued. | IEPA |
| 10/30/81 | Permit copy received. | Clark |
| 11/3/81 | Waste taken off site to landfill. | Clark |

Addenda to Chronology
(Explanations and Descriptions)

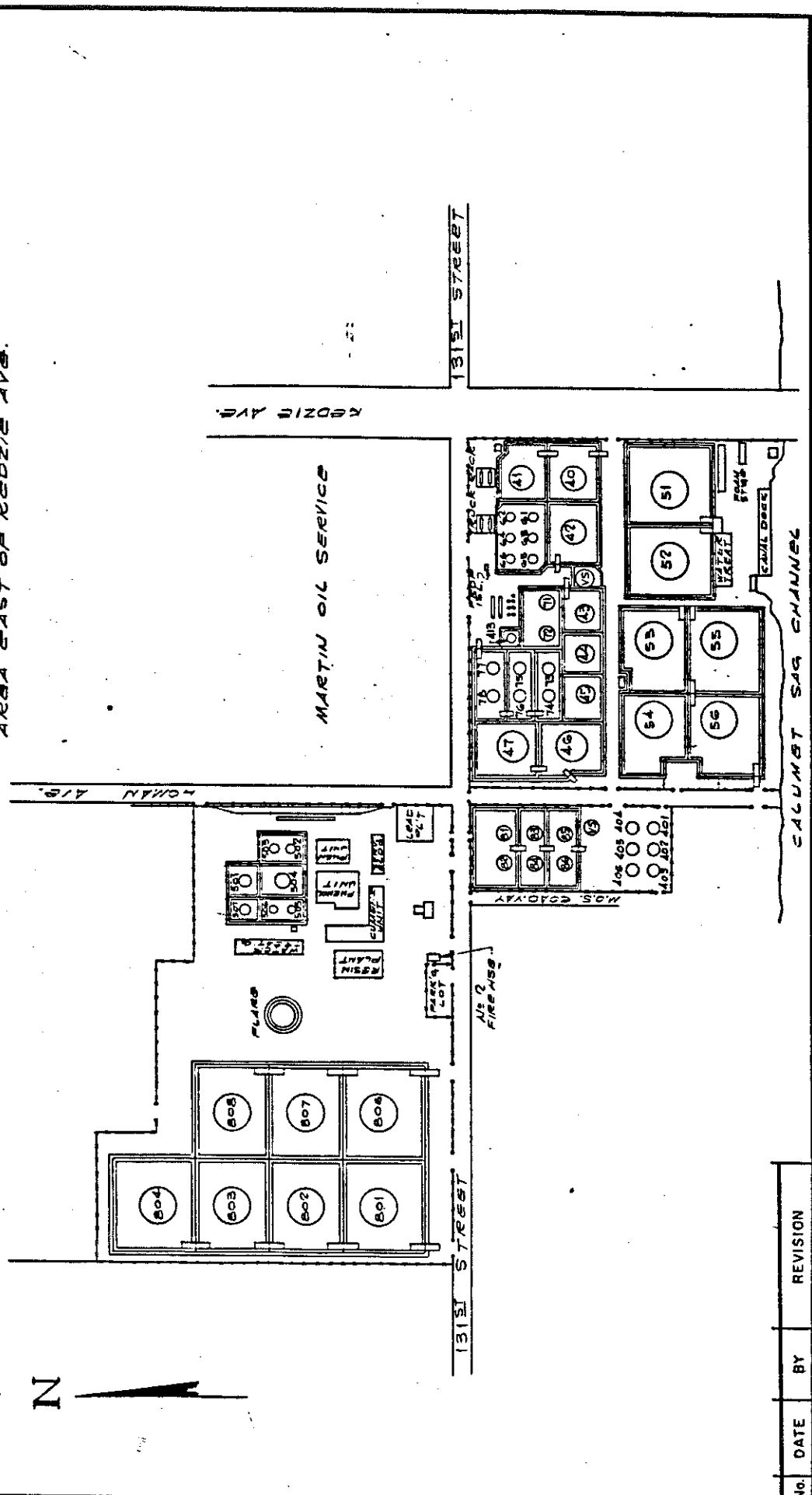
- 7/7/81 The landfill operator required a completed Waste Profile Sheet and a sample to be tested by his laboratory to determine if the waste was of a nature for which the landfill was suited. Only then could he ask for a permit to receive the waste.
- Clark did not have the waste analysis to prepare the Waste Profile Sheet. When the waste became accessible a sample was obtained and taken to an independent laboratory for analysis. A second sample was obtained to be later forwarded with documents to the landfill operator.
- The sample was received by the laboratory.
- 7/23/81 Clark received from the independent laboratory the results of the tests performed on the sample they received on July 7. A Waste Profile Sheet was prepared using these results. A Certification of Representative Sample Sheet was also prepared.
- 7/24/81 Clark delivered to the landfill operator's laboratory the sample obtained on July 7 for this purpose, the Certification of Representative Sample Sheet, and the Waste Profile Sheet.
- 10/30/81 Clark received its copy of the permit issued to the landfill operator to receive the waste at the landfill. Clark arranged with the waste hauler for transport of the waste to the landfill.
- 11/3/81 The waste was hauled to the landfill where it was received and disposed with liners and cover. The roll-off box rented from the hauler was retained by him.

Allocation of Days

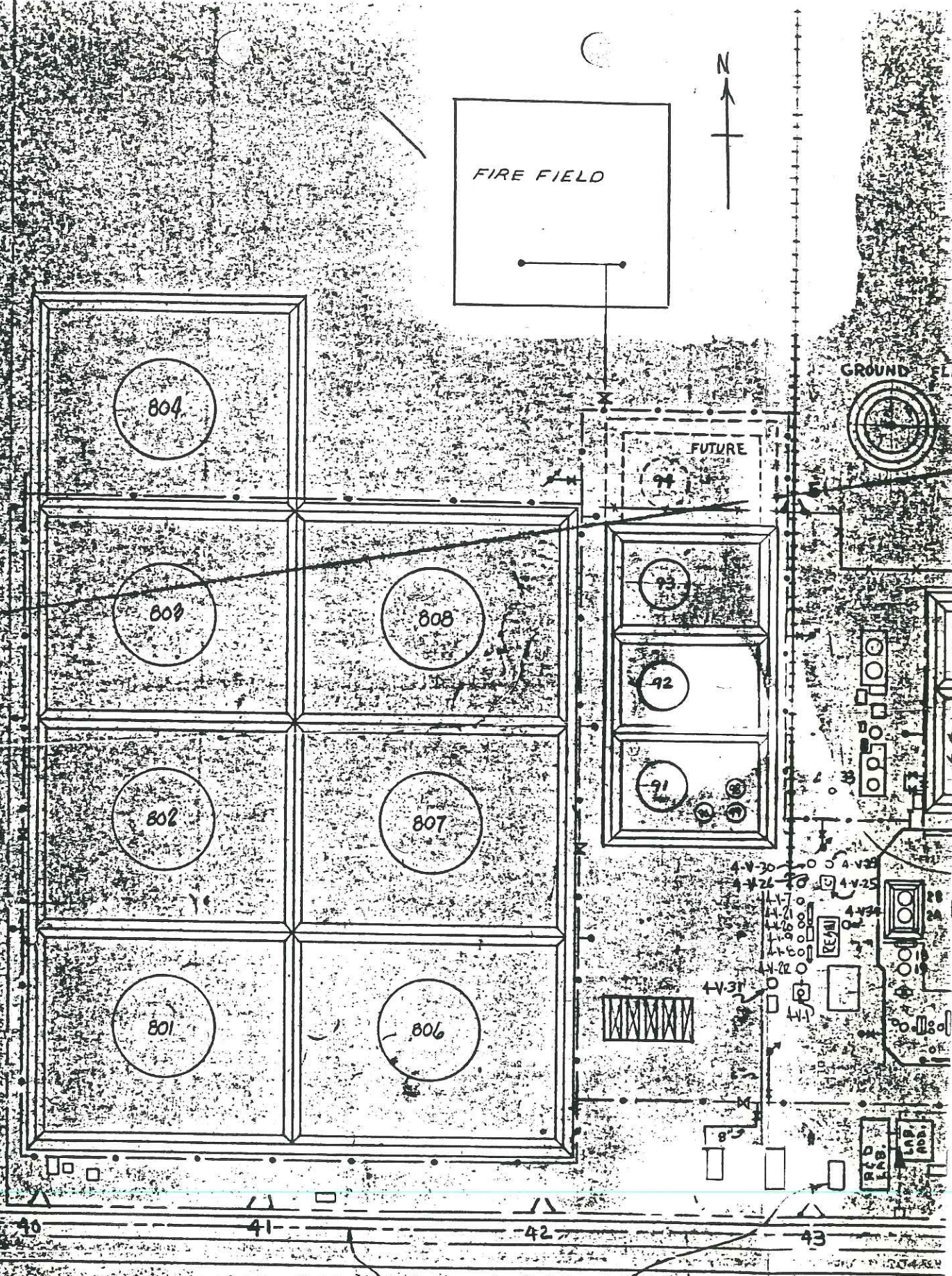
| <u>Action Party</u> | <u>Action</u> | <u>Days</u> | |
|---|--|-------------|-------|
| Clark | Document preparation and sample delivery. Hauling waste off site. | 5 | (4%) |
| Independent laboratory | Sample testing and result reporting. | 16 | (13%) |
| Landfill operator and laboratory | Sample testing and permit application preparation and submission. | 34 | (29%) |
| Regulatory agency (IEPA) | Permit approval and issuance | 64 | (54%) |
| | Total | <hr/> 119 | |

| | | | |
|---|--|---|--|
| CLARK OIL & REFINING BLUE ISLAND, ILLINOIS | | FIRE SYSTEM ROADWAY TANK & UNIT LOCATIONS WEST OF KEDZIE AVENUE | |
| DRAWN BY SCHULTZ | | DRAWING NO. | |
| DATE 12-28-77 | | W-60-01-106 | |
| SCALE NONE | | PIPING CLASS | |
| | | LINE NO. | |
| | | INSUL. THK. | |

NOTES:
SEE DWG W-60-01-105 FOR
AREA EAST OF KEDZIE AVE.



| No. | DATE | BY | REVISION |
|-----|------|----|----------|
| | | | |



FIRE FIELD



GROUND FL

FUTURE

804

803

808

802

807

801

806

93

92

91

4-V-30

4-V-26

4-V-25

4-V-31

4-V-32

4-V-33

4-V-34

4-V-35

4-V-36

4-V-37

4-V-38

4-V-39

4-V-40

4-V-41

4-V-42

4-V-43

4-V-44

4-V-45

4-V-46

4-V-47

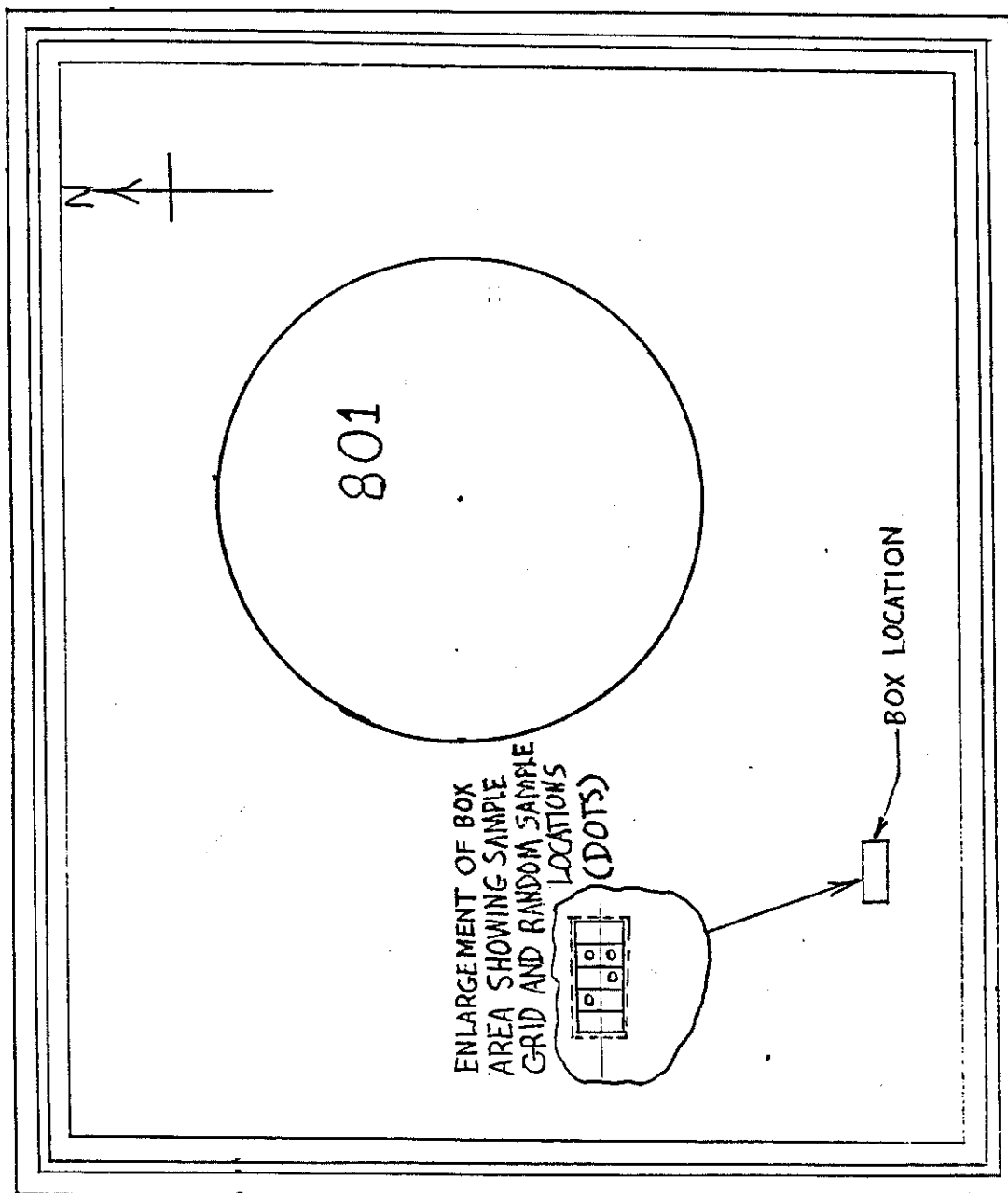
4-V-48

4-V-49

4-V-50

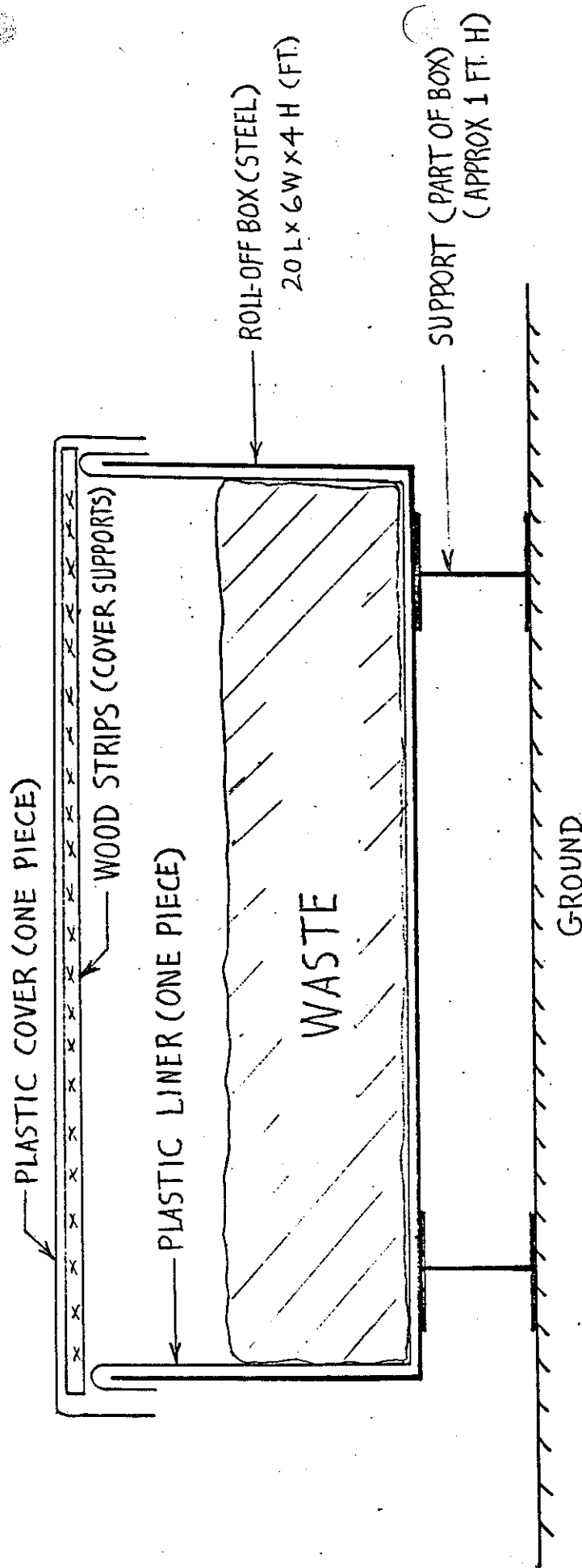
ALIP CITY LINE

CHEM. PLT. FIRE HOUSE



GENERAL DESCRIPTION

1. BOX ELEVATED TO PREVENT SURFACE WATER RUN-ON.
2. BOX COVERED AGAINST RAIN WATER INFLOW.
3. BOX LINED TO PREVENT LEAKAGE.
4. WASTE PLACED DIRECTLY INTO BOX AS REMOVED FROM TANK
5. WASTE REMAINED IN BOX AND TRANSPORTED OFF-SITE IN BOX.



ATTACHMENT B.



" D "

GULF COAST LABORATORIES, INC.
2417 Bond St., Park Forest South, Illinois 60466
Phone (312) 534-5200
Phone (219) 885-7077

ANALYTICAL REPORT

TO: Clark Oil & Refining Corporation
131st & Kedzie Avenue
Blue Island, Illinois 60406

DATE: July 22, 1981

ATTN: Mr. Stafford Jacques

RE: Waste Analysis
Tank Bottoms-Leaded Gasolir
Tank

GCL# 19600

Sample Date: 7/07/81

CWM - 8137-1

ILLINOIS
LEACHATE

PARAMETERS

RESULTS

Flash Point (Closed cup)

> 212 °F

pH (20 % Solution)

8.6

Alkalinity

0.16 %

Total Solids

92.81 %

Ash

84.63 %

Cyanides

< 1 mg/kg

Phenols

24 mg/kg

Dissolved Sulfides

< 5 mg/kg

Barium

< 10 mg/kg

Cadmium

1.2 mg/kg

Nickel

5.2 mg/kg

Lead

120 mg/kg

Selenium

< 0.5 mg/kg

Silver

< 0.5 mg/kg

Arsenic

< 0.5 mg/kg

Chromium

64 mg/kg

Copper

192 mg/kg

< 1 mg/kg

Analyst

Date

7/22/81

Approved:



GULF COAST LABORATORIES, INC.
2417 Bond St., Park Forest South, Illinois 60466
Phone (312) 534-5200
Phone (219) 885-7077

ANALYTICAL REPORT

TO: Clark Oil & Refining Corporation
131st & Kedzie Avenue
Blue Island, Illinois 60406

DATE: July 22, 1981

ATTN: Mr. Stafford Jacques

RE: Waste Analysis
Tank Bottoms-Leaded Gasolir
Tank
GCL# 19600
Sample Date: 7/07/81

ILLINOIS
LEACHATE

CWM-81-37-

PARAMETERS

RESULTS

Mercury

< 0.05 mg/kg

Zinc

64 mg/kg

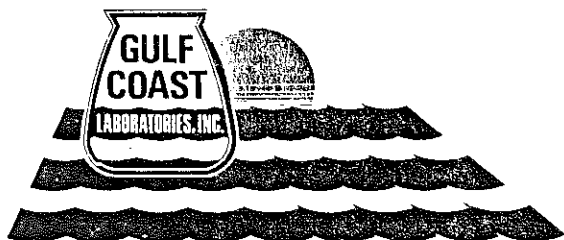
Analyst

Date

7/22/81

Approved: _____

[Signature]



GULF COAST LABORATORIES, INC.
2417 Bond St., Park Forest South, Illinois 60466
Phone (312) 534-5200
Phone (219) 885-7077

ANALYTICAL REPORT

TO: Clark Oil & Refining Corporation
131st & Kedzie Avenue
Blue Island, Illinois 60406

DATE: July 22, 1981

ATTN: Mr. Stafford Jacques

RE: Waste Analysis
Tank Bottoms-Leaded Gasoli
Tank
GCL# 19600
Sample Date: 7/07/81
CWM - 81-37-7-1

PARAMETERS

RESULTS

Iron

34.4 %

Analyst

Date

7/22/81

Approved:

Donald J. [Signature]



GULF COAST LABORATORIES, INC.
2417 Bond St., Park Forest South, Illinois 60466
Phone (312) 534-5260
Phone (219) 885-7077

ANALYTICAL REPORT

TO: Clark Oil & Refining Corporation
131st & Kedzie Avenue
Blue Island, Illinois 60406

DATE: July 22, 1981

ATTN: Mr. Stafford Jacques

RE: Federal Criteria Testing
Analysis
Tank Bottoms-Leaded Gasoline
Tank
GCL# 19600
Sample Date: 7/07/81

PARAMETERS

RESULTS CWM-81-37-7-1

Flash Point (Closed cup)

> 212 °F

pH

8.6

Barium

< 10 mg/l

Cadmium

< 0.1 mg/l

Lead

< 0.5 mg/l

Selenium

< 0.1 mg/l

Silver

< 0.5 mg/l

Arsenic

< 0.5 mg/l

Chromium

< 0.5 mg/l

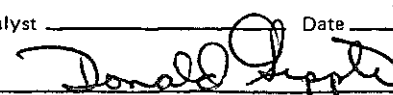
Mercury

< 0.02 mg/l

Analyst

Date

7/22/81

Approved: 

" I "



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION V
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

REPLY TO ATTENTION OF:
5HW-13

John T. Bernbom, Director of Environmental Control
Clark Oil and Refining Corporation
P.O. Box 297
Blue Island, IL 60406

RECEIVED
JAN 30 1983
CLARK OIL &
REFINING CORPORATION

RE: Permit Application Withdrawal Letter
FACILITY NAME: Clark Oil and Refining Corporation
U.S. EPA ID NO.: ILD 005 109 822

Dear Mr. Bernbom:

This is to acknowledge receipt of your letter of August 2, 1983, requesting the withdrawal of your Part A Hazardous Waste Permit Application. Your request was not signed and certified by an authorized person, in accordance with 40 CFR Part 270.11 (enclosed). Please resubmit your request with the correct signature and certification, so that your withdrawal can be processed. Your request must contain a detailed explanation why the application should be withdrawn. Also, if at any time, since November 19, 1980, your operation included treatment, storage, or disposal of hazardous waste subject to 40 CFR Part 265, a closure plan must be filed with the withdrawal request. Requirements for closure are found in 40 CFR Part 265 Subpart G (enclosed).

If no response is received in this office within 30 days, we will assume your facility requires a permit. Accordingly we will continue to process your application.

Please feel free to contact the Technical, Permits, and Compliance Section at (312) 353-2197 for assistance, if you have any questions. Please refer to "Permit Application Withdrawal Letter," in all correspondence on this matter.

Sincerely yours,


Karl J. Klepitsch, Jr., Chief
Waste Management Branch

Enclosure

cc: Richard P. Nelson, Vice President, Manufacturing



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 5

230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

RECEIVED
DEC 21 1984

CLARK OIL &
REFINING CORPORATION

REPLY TO ATTENTION OF:
5HW-13

John T. Bernbom, Director of Env. Control
Clark Oil and Refining Corp
P.O. Box 297
Blue Island, Illinois 60406

RE: Request for Information--Withdrawal of Part A
FACILITY NAME: Clark Oil and Refining Corp
U.S. EPA ID NO.: ILD005109822

Dear Mr. Bernbom:

In a letter dated January 27, 1984, the United States Environmental Protection Agency Region V, requested you to submit additional information to support your request of August 2, 1983 for withdrawal of your hazardous waste permit application. A response to our letter was due on February 27, 1984. Since we have not yet received the additional information requested, our records will continue to show the above facility as a regulated hazardous waste management facility subject to the Resource Conservation and Recovery Act, as amended (RCRA), and regulations promulgated thereunder.

Based on the information that was submitted, your facility appears to store wastes generated on-site for fewer than 90 days as defined in 40 CFR Part 262.34 (enclosed). Please review these requirements to verify that your facility qualifies as an accumulation facility. If it does, and a permit is not required, please submit your determination in writing, signed and certified by an authorized person in accordance with 40 CFR Part 270.11 (enclosed), requesting that your application be withdrawn. If at any time since November 19, 1980, your operation included treatment, storage, or disposal of hazardous waste subject to 40 CFR Part 265, a closure plan must be filed with the withdrawal request. Requirements for closure are found in 40 CFR Part 265 Subpart G (enclosed).

If your review indicates that a permit is required, but certain information on your application is incorrect, please submit a revised Part A with the appropriate changes to this Regional Office. We will assume your facility requires a permit, if no response is received in this office within 30 days. Accordingly, we will continue to process your application.

Please contact the Regulatory Analysis and Information Unit at (312) 886-6148 for assistance, if you have any questions. Please refer to "Request for Information--Withdrawal of Part A," in all correspondence on this matter.

Sincerely yours,

Karl J. Klepitsch, Jr., Chief
Waste Management Branch

Enclosures

cc: Richard P. Nelson, Vice President



"K"

Clark Oil & Refining Corporation

131st & Kedzie Avenue
Post Office Box 297
Blue Island, IL 60406
312-928-5200

January 10, 1985

Mr. Karl J. Klepitsch, Jr., Chief
Waste Management Branch
United States Environmental Protection Agency
Region 5
230 S. Dearborn Street
Chicago, Illinois 60604

Attention: 5HW-13

Re: Request for Information--Withdrawal of Part A
Facility Name: Clark Oil and Refining Corporation
U.S. EPA ID No.: ILD005109822

Dear Mr. Klepitsch:

Please withdraw our permit application for treating, storing, and disposing of RCRA hazardous wastes. We have determined not to have conducted such activities and do not plan to do so. Thank you.

Sincerely,


John T. Bernbom

Director, Environmental Control

JTB:dlg

"2"

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 5
RCRA ACTIVITIES
P.O. BOX A3587
CHICAGO, ILLINOIS 60690

RECEIVED
JUN 24 1985

CLARK OIL &
REFINING CORPORATION
5HS-JCK-13

JUN 19 1985

John T. Berbom, Director, Environmental Control
Clark Oil and Refining Corporation
131st & Kedzie Avenue
P.O. Box 297
Blue Island, Illinois 60406

RE: Permit Application Withdrawal Letter
FACILITY NAME: Clark Oil & Refining Corporation
U.S. EPA ID NO.: ILD 005109322

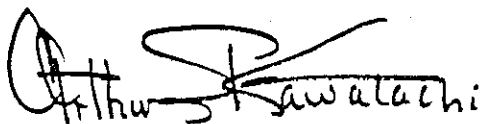
Dear Mr. Berbom:

This is to acknowledge receipt of your letter of January 10, 1985 requesting the withdrawal of your Part A Hazardous Waste Permit Application. Your request was not signed and certified by an authorized person, in accordance with 40 CFR Part 270.11 (enclosed). Please resubmit your request with the correct signature and certification, so that your withdrawal can be processed. Your request must contain a detailed explanation why the application should be withdrawn. Also, if at any time, since November 19, 1980, your operation included treatment, storage, or disposal of hazardous waste subject to 40 CFR Part 265, a closure plan must be filed with the withdrawal request. Requirements for closure are found in 40 CFR Part 265 Subpart G (enclosed).

We will assume your facility requires a permit, if no response is received in this office within 30 days. Accordingly, we will continue to process your application.

Please feel free to contact the Authorization and Information Section at (312) 886-6148 for assistance, if you have any questions. Please refer to "Permit Application Withdrawal Letter," in all correspondence on this matter.

Sincerely yours,



Arthur S. Kawatachi, Chief
Information Unit

Enclosures

cc: Richard P. Nelson, Vice President

"M"

CLARK OIL & REFINING CORPORATION

July 24, 1985

Arthur S. Kawatachi, Chief
Information Unit
United States Environmental Protection Agency
Region V
RCRA Activities
P.O. Box A3587
Chicago, Illinois 60690

Re: U.S. EPA ID No.: ILD 005109822
Clark Oil & Refining Corporation
Blue Island Refinery

Dear Mr. Kawatachi,

Please consider this letter as a withdrawal of the Part A application for the above facility. Since November 19, 1980, the operation of the above facility did not include treatment, storage or disposal of hazardous waste subject to 40 CFR Part 265. Such activities will not be performed at the facility.

I certify under penalty of law that this letter was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,


John T. Bernbom
Director, Environmental Control

JTB:dlg

1. USE Log
 2. APPLICATION FOR WASTE
 3. 17-20

"E"

WASTE ANALYSIS REPORT

SALES CODE
 A42271

WASTE PROFILE SHEET CODE

FACTORY: Chemical Waste Management of Illinois

FILE SHEET RECEIVED ON: 7/24/81 REPRESENTATIVE SAMPLE RECEIVED ON: 7/24/81

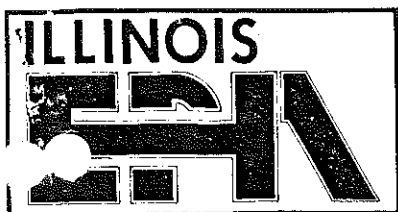
CERTIFICATE OF REP. SAMPLE RECEIVED: 7/24/81 SAMPLE TAKEN: 7/7/81

PROPOSED TREATMENT/DISPOSAL FACILITY: Chicago/CID

THE ANALYSES BELOW REPORTED WERE SELECTED BY ME, BASED UPON THE GENERATOR'S REPRESENTATIONS IN THE PROFILE SHEET AND ANY APPLICABLE WASTE ANALYSIS PLAN ESTABLISHED BY THE PROPOSED FACILITY FOR WASTE OF THIS TYPE. ANALYSES REQUIRED BY A WASTE ANALYSIS PLAN ARE INDICATED BY AN ASTERISK (*).

DATE OF ANALYSIS: 8-10-81 LAB MANAGER: William R. Karpas
 CWM #0631 - Clark Oil & Refining Corp.

| Test | As Received | IEPA Leachate | Analyst Initials | Test | As Received | Leachate | Analyst Initials |
|--|-------------|---------------|------------------|---|-------------|----------|------------------|
| Specific Gravity | | | | | | | |
| pH 10% SOLUTION | 7.0 | | TD | | | | |
| Acidity, % as | | | | Phenols, mg/kg | 50.0 | | TD |
| Alkalinity, % as | | | | Cyanides, as CN, Total, mg/kg | <10.0 | | TD |
| COD, mg/l | | | | Cyanides, as CN, Free, mg/l | | | |
| BOD ₅ , mg/l | | | | | | | |
| Total Solids @ 105°C | 92.47% | | 12 | Nitrogen, Ammonia, as N, mg/l | | | |
| Total Dissolved Solids, mg/l | | | | Nitrogen, Organic, as N, mg/l | | | |
| Total Suspended Solids, mg/l | | | | Total Kjeldahl Nitrogen, as N, mg/l | | | |
| Residue on Evaporation @ 180°C | | | | | | | |
| Flash Point, F° | >212°F | | TD | Total Alkalinity (P), as CaCO ₃ , mg/l | | | |
| Ash Content, on ignition | 85.58% | | 12 | Total Alkalinity (M), as CaCO ₃ , mg/l | | | |
| Heating Value, BTU/lb | | | | Total Hardness, as CaCO ₃ , mg/l | | | |
| Acid Scrub, gNaOH/g | | | | Calcium Hardness, as CaCO ₃ , mg/l | | | |
| | | | | Magnesium Hardness, as CaCO ₃ , mg/l | | | |
| Arsenic, as AS, mg/l | | | | | | | |
| Barium, as Ba, mg/l | | | | Oil and Grease, mg/l | | | |
| Boron, as Bi, mg/l | | | | | | | |
| Cadmium, as Cd, mg/l | | | | | | | |
| Chromium, Total as Cr, mg/l | | | | Aldrin, mg/l | | | |
| Hexavalent Chromium @ Cr, mg/l | | | | Chlordane, mg/l | | | |
| Copper, as Cu, mg/l | | | | DDT's, mg/l | | | |
| Iron, Total as Fe, mg/l | | | | Dieldrin, mg/l | | | |
| Iron, dissolved, as Fe, mg/l | | | | Endrin, mg/l | | | |
| Lead, as Pb, mg/kg | | 7.8 | 092 | Heptachlor, mg/l | | | |
| Manganese, as Mn, mg/l | | | | Lindane, mg/l | | | |
| Magnesium, as Mg, mg/l | | | | Methoxychlor, mg/l | | | |
| Mercury, as Hg, mg/l | | | | Toxaphene, mg/l | | | |
| Nickel, as Ni, mg/l | | | | Parathion, mg/l | | | |
| Selenium, as Se, mg/l | | | | 2, 4, D, mg/l | | | |
| Silver, as Ag, mg/l | | | | 2, 4, 5, TP (Silvex), mg/l | | | |
| Zinc, as Zn, mg/l | | | | PCB's, mg/l | | | |
| | | | | | | | |
| Bicarbonates, as HCO ₃ , mg/l | | | | | | | |
| Carbonates, as CO ₃ , mg/l | | | | | | | |
| Chlorides, as Cl, mg/l | | | | | | | |
| Fluorides, as F, mg/l | | | | | | | |
| Nitrate, as NO ₃ , mg/l | | | | | | | |
| Nitrite, as NO ₂ , mg/l | | | | | | | |
| Phosphate, as P, mg/l | | | | | | | |
| Sulfate, as SO ₄ , mg/l | | | | | | | |
| Sulfides, as S, mg/kg DISSOLVED | <2.0 | | TD | | | | |



Environmental Protection Agency

2200 Churchill Road, Springfield, Illinois 62706

217/782-6760

October 16, 1981

Application Received @ IEPA: August 27, 1981

Permit Number 812076

Permit Expires: October 15, 1982

Permit Issued To: Waste Management of Illinois, Inc.

Address:

Post Office Box 1296

Calumet City, Illinois 60409

Waste Name: Gasoline Tank Bottoms

Waste Classification: Hazardous

Waste Generator: Clark Oil & Refining Co.

IEPA Generator No.: 0310240003

Waste Generated At:

13100 South Kedzie Avenue

Blue Island, Illinois 60472

Disposal Site: Chicago/CID

IEPA Site No.: 03160030

Annual Volume Authorized: 20 Cubic Yards

Disposition of Waste:

Bulk Waste (solid, liquid, powder or sludge) mixed with daily receipts of refuse

Permit to receive the indicated waste is granted.

This permit is granted subject to the attached standard conditions.

Rama K. Chaturvedi

Rama K. Chaturvedi, P.E.

Manager

Special Waste Unit

Residual Management Section

Division of Land/Noise Pollution Control

RKC:DAH:jk/2140c,2

cc: Clark Oil & Refining Co.

General Drainage

Region

TO BE COMPLETED BY
WASTE GENERATOR

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF LAND POLLUTION CONTROL
2200 CHURCHILL ROAD, SPRINGFIELD, ILLINOIS 62706
(217) 782-6760

SPECIAL WASTE HAULING MANIFEST

Authorization Number 812076

CLARK OIL & REF. CORP.

13100 S. KEDZIE AVE.

FED ID ILD00 5109 822

(Company Name)

Address

BLUE ISLAND

IL

60406

City

State

Zip

0310240003

Generator Number

INDEPENDENT WASTE

WASTE HAULER(S)

15th & CLINE AVE

S.W.H. Registration Number 0078001

Hauler Name

Hauler Address

GARY, IN 46406

FED ID IND05 1942 563

Hauler Name

Hauler Address

S.W.H. Registration Number

DESTINATION — DISPOSAL STORAGE OR TREATMENT SITE

CID/CHICAGO

138th ST + I-94 P.O. Box 1296

03160030

(Facility Name)

Address

Site Number

CALUMET CITY

IL

60409

FED ID ILD01 0284 248

City

State

Zip

TO BE COMPLETED BY
WASTE GENERATOR

WASTE NAME: GASOLINE TANK BOTTOMS

WASTE PHASE: SOLID

(Liquid, Gaseous, Solid)

Roll off Box

THE SPECIAL WASTE BEING TRANSPORTED UNDER THIS MANIFEST IS OF THE DOT HAZARD CLASSIFICATION INDICATED IMMEDIATELY BELOW:

SHIPPING DESCRIPTION:

HAZARD CLASS:

HAZARDOUS WASTE,

ORM-E

WEIGHT FOR D.O.T. USE 25660 TONS (circle one)

SOLID, n.o.s.

NA 9189

WEIGHT FOR I.E.P.A. USE MUST BE
CONVERTED TO CU. YDS. OR GAL

QUANTITY OF WASTE DELIVERED: 8 cu yds

1 GALLONS (Circle One)
CU. YDS. 2

METHOD OF SHIPMENT (Circle One)

DRUMS

TANK TRUCK

OPEN TRUCK

OTHER (Specify)

THIS IS TO CERTIFY THAT THE ABOVE-NAMED SPECIAL WASTE IS PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED AND IS IN PROPER CONDITION FOR TRANSPORTATION, IN ACCORDANCE WITH THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION.

I HEREBY AGREE TO AND CERTIFY THE ABOVE WRITTEN INFORMATION

DATE: 11-3-81

R. Popelush
(Authorized Signature)

FED. EPA HAZARDOUS
WASTE NUMBER K052

WASTE HAULER

I HEREBY CERTIFY THAT THE ABOVE-DESCRIBED SPECIAL WASTE AND QUANTITY HAS BEEN ACCEPTED IN PROPER CONDITION FOR TRANSPORT AND I ACKNOWLEDGE THE DESTINATION AS INDICATED:

(1) Jon Harrington
(Authorized Signature)

DATE: 11/3/81

(2) [Signature]
(Authorized Signature)

DATE: 11/3/81

DISPOSAL, STORAGE, OR TREATMENT FACILITY*

HAZARDOUS WASTE SUBJECT TO FEE YES X NO

I HEREBY CERTIFY THAT THE ABOVE-DESCRIBED SPECIAL WASTE AND INDICATED QUANTITY HAS BEEN ACCEPTED AT THE SITE SPECIFIED ABOVE:

(Authorized Signature)

"HAZARDOUS, SUBJECT TO FEE"

DATE: 11/3/81

MENTS OR SPECIAL INSTRUCTIONS:

IN ILLINOIS: 217 / 782-3637

24 HOUR EMERGENCY AND SPILL ASSISTANCE NUMBERS

OUTSIDE ILLINOIS: 800 / 424-8802

DISTRIBUTION: PART - 1 GENERATOR

PART - 2 IEPA

PART - 3 SITE

PART - 4 HAULER

PART - 5 IEPA

PART - 6 GENERATOR

GENERATOR COPY — PART 1 - DO NOT REMOVE PART 1 FROM SET UNTIL COMPLETED.

" N "

CLARK OIL & REFINING CORPORATION

October 8, 1985

Valdas Adamkus
Regional Administrator
USEPA, Region V
RCRA Activities
P.O. Box A-3587
Chicago, Illinois 60690

Re: Clark Oil & Refining Corporation
ILD 005109822

Dear Mr. Adamkus,

The purpose of this letter is to request USEPA to change the designation of Clark Oil as treater, storer, disposer to the correct designation as generator only.

On November 18, 1980, Clark submitted a Part A application, copy enclosed. Due to regulatory uncertainty, Clark sought interim status as a storer and treater. As a result of this application, Illinois EPA currently considers Clark as engaging in treatment in tanks (T01), other treatment (T04), storage in containers (S01) and storage in tanks (S02). Clark recognizes these designations as erroneous since Clark only generates waste.

Except for the possibility of one incident discussed below, Clark has not engaged in the storage, treatment or disposal of hazardous waste since the implementation of the RCRA system.


On November 3, 1981, eight yards of leaded tank bottoms (K052) of Clark were disposed at a permitted off-site disposal facility pursuant to the required manifest and permit, copy enclosed. The waste was analyzed and the permit applied for on August 24, 1981. The permit was received by Clark 67 days later on October 30, 1981. This incident may have resulted in the storage of hazardous waste since, while awaiting permit issuance, the waste was stored in a lined and covered roll off box. (Please note the enclosed analysis demonstrating that this solid waste did not contain any hazardous or toxic properties.)

Valdas Adamkus
Regional Administrator
USEPA, Region V
October 8, 1985
Page Two

I certify under penalty of law that this letter was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to be the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

In conclusion, please consider this correspondence as withdrawal of the Part A application as treater and storer. Clark wishes to remain a generator of hazardous waste.

Sincerely,


John T. Bernbom
Director of Environmental Control

dlg
Enclosures

011
CLARK OIL & REFINING CORPORATION

December 10, 1987

Larry Eastep
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Springfield, Illinois 62706

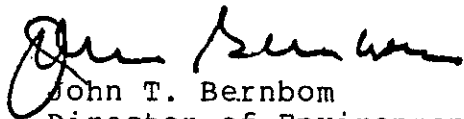
Re: Blue Island Refinery
ILD 005 109 822

Dear Mr. Eastep:

On November 17, 1980, Clark submitted a RCRA Part A application for the above facility. Since Clark does not store, treat or dispose of hazardous waste, a withdrawal of Part A was submitted on August 2, 1983. Clark has no record that the withdrawal of Part A was effectuated for the above facility (Clark received notice of Part A withdrawal for its Wood River Refinery).

Clark would greatly appreciate a statement that Illinois EPA classifies the above facility as a generator-only of hazardous waste. Thank you for your attention to this request.

Sincerely,



John T. Bernbom
Director of Environmental Control

dlg

"E"

WASTE ANALYSIS REPORT

LABORATORY: Chemical Waste Management of Illinois

SALES

CODE

A42271

WASTE PROFILE SHEET CODE

PROFILE SHEET RECEIVED ON: 7/24/81 REPRESENTATIVE SAMPLE RECEIVED ON: 7/24/81

CERTIFICATE OF REP. SAMPLE RECEIVED: 7/24/81 SAMPLE TAKEN: 7/7/81

PROPOSED TREATMENT/DISPOSAL FACILITY: Chicago/CID

THE ANALYSES BELOW REPORTED WERE SELECTED BY ME, BASED UPON THE GENERATOR'S REPRESENTATIONS IN THE PROFILE SHEET AND ANY APPLICABLE WASTE ANALYSIS PLAN ESTABLISHED BY THE PROPOSED FACILITY FOR WASTE OF THIS TYPE. ANALYSES REQUIRED BY A WASTE ANALYSIS PLAN ARE INDICATED BY AN ASTERISK (*).

DATE OF ANALYSIS: 8-10-81 LAB MANAGER: William R. Karpas
CWM #0631 - Clark Oil & Refining Corp.

| Test | As Received | IEPA Leachate | Analyst Initials | Test | As Received | Leachate | Analyst Initials |
|--|-------------|---------------|------------------|---|-------------|----------|------------------|
| Specific Gravity | | | | | | | |
| pH 10% SOLUTION | 7.0 | | TD | | | | |
| Acidity, % as | | | | Phenols, mg/kg | 50.0 | | TD |
| Alkalinity, % as | | | | Cyanides, as CN, Total, mg/kg | <10.0 | | TD |
| COD, mg/l | | | | Cyanides, as CN, Free, mg/l | | | |
| BOD ₅ , mg/l | | | | | | | |
| Total Solids @ 105°C | 92.47% | | 12 | Nitrogen, Ammonia, as N, mg/l | | | |
| Total Dissolved Solids, mg/l | | | | Nitrogen, Organic, as N, mg/l | | | |
| Total Suspended Solids, mg/l | | | | Total Kjeldahl Nitrogen, as N, mg/l | | | |
| Residue on Evaporation @ 180°C | | | | | | | |
| Flash Point, F° | >212°F | | TD | Total Alkalinity (P), as CaCO ₃ , mg/l | | | |
| Ash Content, on ignition | 85.58% | | 12 | Total Alkalinity (M), as CaCO ₃ , mg/l | | | |
| Heating Value, BTU/lb | | | | Total Hardness, as CaCO ₃ , mg/l | | | |
| Acid Scrub., gNaOH/g | | | | Calcium Hardness, as CaCO ₃ , mg/l | | | |
| | | | | Magnesium Hardness, as CaCO ₃ , mg/l | | | |
| Arsenic, as AS, mg/l | | | | | | | |
| Barium, as Ba, mg/l | | | | Oil and Grease, mg/l | | | |
| Boron, as Bi, mg/l | | | | | | | |
| Cadmium, as Cd, mg/l | | | | | | | |
| Chromium, Total as Cr, mg/l | | | | Aldrin, mg/l | | | |
| Hexavalent Chromium @ Cr, mg/l | | | | Chlordane, mg/l | | | |
| Copper, as Cu, mg/l | | | | DDT's, mg/l | | | |
| Iron, Total as Fe, mg/l | | | | Dieldrin, mg/l | | | |
| Iron, dissolved, as Fe, mg/l | | | | Endrin, mg/l | | | |
| Lead, as Pb, mg/l | | 7.8 | 092 | Heptachlor, mg/l | | | |
| Manganese, as Mn, mg/l | | | | Lindane, mg/l | | | |
| Magnesium, as Mg, mg/l | | | | Methoxychlor, mg/l | | | |
| Mercury, as Hg, mg/l | | | | Toxaphene, mg/l | | | |
| Nickel, as Ni, mg/l | | | | Parathion, mg/l | | | |
| Selenium, as Se, mg/l | | | | 2, 4, D, mg/l | | | |
| Silver, as Ag, mg/l | | | | 2, 4, 5, TP (Silvex), mg/l | | | |
| Zinc, as Zn, mg/l | | | | PCB's, mg/l | | | |
| | | | | | | | |
| Bicarbonates, as HCO ₃ , mg/l | | | | | | | |
| Carbonates, as CO ₃ , mg/l | | | | | | | |
| Chlorides, as Cl, mg/l | | | | | | | |
| Fluorides, as F, mg/l | | | | | | | |
| Nitrate, as NO ₃ , mg/l | | | | | | | |
| Nitrite, as NO ₂ , mg/l | | | | | | | |
| Phosphate, as P, mg/l | | | | | | | |
| Sulfate, as SO ₄ , mg/l | | | | | | | |
| Sulfides, as S, mg/kg DISSOLVED | <2.0 | | TD | | | | |



Environmental Protection Agency

2200 Churchill Road, Springfield, Illinois 62706

217/782-6760

October 16, 1981

Application Received @ IEPA: August 27, 1981

Permit Number 812076

Permit Expires: October 15, 1982

Permit Issued To: Waste Management of Illinois, Inc.

Address:

Post Office Box 1296

Calumet City, Illinois 60409

Waste Name: Gasoline Tank Bottoms

Waste Classification: Hazardous

Waste Generator: Clark Oil & Refining Co.

IEPA Generator No.: 0310240003

Waste Generated At:

13100 South Kedzie Avenue

Blue Island, Illinois 60472

Disposal Site: Chicago/CID

IEPA Site No.: 03160030

Annual Volume Authorized: 20 Cubic Yards

Disposition of Waste:

Bulk Waste (solid, liquid, powder or sludge) mixed with daily receipts of refuse

Permit to receive the indicated waste is granted.

This permit is granted subject to the attached standard conditions.

Rama K. Chaturvedi

Rama K. Chaturvedi, P.E.

Manager

Special Waste Unit

Residual Management Section

Division of Land/Noise Pollution Control

RKC:DAH:jk/2140c,2

cc: Clark Oil & Refining Co.

General Drainage

Region

"I"



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION V
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

REPLY TO ATTENTION OF:
5HW-13

John T. Bernbom, Director of Environmental Control
Clark Oil and Refining Corporation
P.O. Box 297
Blue Island, IL 60406

RECEIVED
JAN 30 1983
CLARK OIL &
REFINING CORPORATION

RE: Permit Application Withdrawal Letter
FACILITY NAME: Clark Oil and Refining Corporation
U.S. EPA ID NO.: ILD 005 109 822

Dear Mr. Bernbom:

This is to acknowledge receipt of your letter of August 2, 1983 requesting the withdrawal of your Part A Hazardous Waste Permit Application. Your request was not signed and certified by an authorized person, in accordance with 40 CFR Part 270.11 (enclosed). Please resubmit your request with the correct signature and certification, so that your withdrawal can be processed. Your request must contain a detailed explanation why the application should be withdrawn. Also, if at any time, since November 19, 1980, your operation included treatment, storage, or disposal of hazardous waste subject to 40 CFR Part 265, a closure plan must be filed with the withdrawal request. Requirements for closure are found in 40 CFR Part 265 Subpart G (enclosed).

If no response is received in this office within 30 days, we will assume your facility requires a permit. Accordingly we will continue to process your application.

Please feel free to contact the Technical, Permits, and Compliance Section at (312) 353-2197 for assistance, if you have any questions. Please refer to "Permit Application Withdrawal Letter," in all correspondence on this matter.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Karl J. Klepitsch, Jr.".

Karl J. Klepitsch, Jr., Chief
Waste Management Branch

Enclosure

cc: Richard P. Nelson, Vice President, Manufacturing



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 5

230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

RECEIVED
DEC 21 1984

CLARK OIL &
REFINING CORPORATION

REPLY TO ATTENTION OF:
5HW-13

John T. Bernbom, Director of Env. Control
Clark Oil and Refining Corp
P.O. Box 297
Blue Island, Illinois 60406

RE: Request for Information--Withdrawal of Part A
FACILITY NAME: Clark Oil and Refining Corp
U.S. EPA ID NO.: ILD005109822

Dear Mr. Bernbom:

In a letter dated January 27, 1984, the United States Environmental Protection Agency Region V, requested you to submit additional information to support your request of August 2, 1983 for withdrawal of your hazardous waste permit application. A response to our letter was due on February 27, 1984. Since we have not yet received the additional information requested, our records will continue to show the above facility as a regulated hazardous waste management facility subject to the Resource Conservation and Recovery Act, as amended (RCRA), and regulations promulgated thereunder.

Based on the information that was submitted, your facility appears to store wastes generated on-site for fewer than 90 days as defined in 40 CFR Part 262.34 (enclosed). Please review these requirements to verify that your facility qualifies as an accumulation facility. If it does, and a permit is not required, please submit your determination in writing, signed and certified by an authorized person in accordance with 40 CFR Part 270.11 (enclosed), requesting that your application be withdrawn. If at any time since November 19, 1980, your operation included treatment, storage, or disposal of hazardous waste subject to 40 CFR Part 265, a closure plan must be filed with the withdrawal request. Requirements for closure are found in 40 CFR Part 265 Subpart G (enclosed).

If your review indicates that a permit is required, but certain information on your application is incorrect, please submit a revised Part A with the appropriate changes to this Regional Office. We will assume your facility requires a permit, if no response is received in this office within 30 days. Accordingly, we will continue to process your application.

Please contact the Regulatory Analysis and Information Unit at (312) 886-6148 for assistance, if you have any questions. Please refer to "Request for Information--Withdrawal of Part A," in all correspondence on this matter.

Sincerely yours,

Karl J. Klepitsch, Jr., Chief
Waste Management Branch

Enclosures

cc: Richard P. Nelson, Vice President



"K"

Clark Oil & Refining Corporation

131st & Kedzie Avenue
Post Office Box 297
Blue Island, IL 60406
312-928-5200

January 10, 1985

Mr. Karl J. Klepitsch, Jr., Chief
Waste Management Branch
United States Environmental Protection Agency
Region 5
230 S. Dearborn Street
Chicago, Illinois 60604

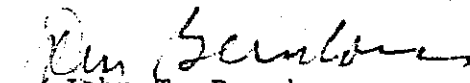
Attention: SHW-13

Re: Request for Information--Withdrawal of Part A
Facility Name: Clark Oil and Refining Corporation
U.S. EPA ID No.: ILD005109822

Dear Mr. Klepitsch:

Please withdraw our permit application for treating, storing, and disposing of RCRA hazardous wastes. We have determined not to have conducted such activities and do not plan to do so. Thank you.

Sincerely,


John T. Bernbom

Director, Environmental Control

JTB:dlg



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 5
RCRA ACTIVITIES
P.O. BOX A3587
CHICAGO, ILLINOIS 60690

RECEIVED
JUN 24 1985

CLARK OIL &
REFINING CORPORATION
5HS-JCK-13

JUN 19 1985

John T. Berbom, Director, Environmental Control
Clark Oil and Refining Corporation
131st & Kedzie Avenue
P.O. Box 297
Blue Island, Illinois 60406

RE: Permit Application Withdrawal Letter
FACILITY NAME: Clark Oil & Refining Corporation
U.S. EPA ID NO.: ILD 005109322

Dear Mr. Berbom:

This is to acknowledge receipt of your letter of January 10, 1985 requesting the withdrawal of your Part A Hazardous Waste Permit Application. Your request was not signed and certified by an authorized person, in accordance with 40 CFR Part 270.11 (enclosed). Please resubmit your request with the correct signature and certification, so that your withdrawal can be processed. Your request must contain a detailed explanation why the application should be withdrawn. Also, if at any time, since November 19, 1980, your operation included treatment, storage, or disposal of hazardous waste subject to 40 CFR Part 265, a closure plan must be filed with the withdrawal request. Requirements for closure are found in 40 CFR Part 265 Subpart G (enclosed).

We will assume your facility requires a permit, if no response is received in this office within 30 days. Accordingly, we will continue to process your application.

Please feel free to contact the Authorization and Information Section at (312) 886-6148 for assistance, if you have any questions. Please refer to "Permit Application Withdrawal Letter," in all correspondence on this matter.

Sincerely yours,

Arthur S. Kawatachi, Chief
Information Unit

Enclosures

cc: Richard P. Nelson, Vice President

"M"

CLARK OIL & REFINING CORPORATION

July 24, 1985

Arthur S. Kawatachi, Chief
Information Unit
United States Environmental Protection Agency
Region V
RCRA Activities
P.O. Box A3587
Chicago, Illinois 60690

Re: U.S. EPA ID No.: ILD 005109822
Clark Oil & Refining Corporation
Blue Island Refinery

Dear Mr. Kawatachi,

Please consider this letter as a withdrawal of the Part A application for the above facility. Since November 19, 1980, the operation of the above facility did not include treatment, storage or disposal of hazardous waste subject to 40 CFR Part 265. Such activities will not be performed at the facility.

I certify under penalty of law that this letter was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,


John T. Bernbom
Director, Environmental Control

JTB:dlg

TO BE COMPLETED BY
WASTE GENERATOR

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF LAND POLLUTION CONTROL
2200 CHURCHILL ROAD, SPRINGFIELD, ILLINOIS 62706
(217) 782-6760

SPECIAL WASTE HAULING MANIFEST

Authorization Number 812076

CLARK OIL & REF. CORP.
(Company Name)

13100 S. KEDZIE AVE.
Address

FED ID ILD 00 5109 822

BLUE ISLAND
City

IL
State

60406
Zip

0310240003
Generator Number

INDEPENDENT WASTE
Hauler Name

15th & CLINE AVE
Hauler Address

S.W.H. Registration Number 0078001

GARY, IN 46406

FED ID IND 05 1942 563

Hauler Name

Hauler Address

S.W.H. Registration Number

DESTINATION — DISPOSAL STORAGE OR TREATMENT SITE

CID/CHICAGO
(Facility Name)

138th ST + I-94 P.O. Box 1296
Address

03160030
Site Number

CALUMET CITY
City

IL
State

60409
Zip

FED ID ILD 01 0284 24

TO BE COMPLETED BY
WASTE GENERATOR

WASTE NAME: GASOLINE TANK BOTTOMS
Roll off Box

WASTE PHASE: SOLID
(Liquid, Gaseous, Solid)

THE SPECIAL WASTE BEING TRANSPORTED UNDER THIS MANIFEST IS OF THE DOT HAZARD CLASSIFICATION INDICATED IMMEDIATELY BELOW:

SHIPPING DESCRIPTION:

HAZARD CLASS:

HAZARDOUS WASTE,

ORM-E

WEIGHT FOR D.O.T. USE 25660 LBS TONS (circle one)

SOLID, n.o.s.

NA 9189

WEIGHT FOR I.E.P.A. USE MUST BE
CONVERTED TO CU. YDS. OR GAL

QUANTITY OF WASTE DELIVERED: 8 cu yds

1 GALLONS (Circle One)
CU. YDS. 2

METHOD OF SHIPMENT (Circle One)

DRUMS

TANK TRUCK

OPEN TRUCK

OTHER (Specify)

THIS IS TO CERTIFY THAT THE ABOVE-NAMED SPECIAL WASTE IS PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED AND IS IN PROPER CONDITION FOR TRANSPORTATION, IN ACCORDANCE WITH THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION.

I HEREBY AGREE TO AND CERTIFY THE ABOVE WRITTEN INFORMATION

DATE: 11-3-81

R. Japich
(Authorized Signature)

FED. EPA HAZARDOUS
WASTE NUMBER K05

WASTE HAULER

I HEREBY CERTIFY THAT THE ABOVE-DESCRIBED SPECIAL WASTE AND QUANTITY HAS BEEN ACCEPTED IN PROPER CONDITION FOR TRANSPORT AND I ACKNOWLEDGE THE DESTINATION AS INDICATED:

(1) Jon Harrington
(Authorized Signature)

DATE: 11/3/81

(2) [Signature]
(Authorized Signature)

DATE: 11/3/81

DISPOSAL, STORAGE, OR TREATMENT FACILITY*

HAZARDOUS WASTE SUBJECT TO FEE YES X NO

I HEREBY CERTIFY THAT THE ABOVE-DESCRIBED SPECIAL WASTE AND INDICATED QUANTITY HAS BEEN ACCEPTED AT THE SITE SPECIFIED ABOVE:

Carl [Signature]
(Authorized Signature)

"HAZARDOUS, SUBJECT TO FEE"

DATE: 11/3/81

AGENTS OR SPECIAL INSTRUCTIONS:

IN ILLINOIS: 217 / 782-3637

24 HOUR EMERGENCY AND SPILL ASSISTANCE NUMBERS

OUTSIDE ILLINOIS: 800 / 424-85

DISTRIBUTION: PART - 1 GENERATOR

PART - 2 IEPA

PART - 3 SITE

PART - 4 HAULER

PART - 5 IEPA

PART - 6 GENERATOR

GENERATOR COPY — PART 1 - DO NOT REMOVE PART 1 FROM SET UNTIL COMPLETED.



GULF COAST LABORATORIES, INC.

2417 Bond St., University Park, Illinois 60466

Phones (312) 534-5200 (219) 885-7077 (815) 723-753

February 11, 1988

Mr. Stafford Jacques
Clark Oil & Refining Company
P.O. Box 297
Blue Island, Illinois 60406

Dear Mr. Jacques,

Please find enclosed the analytical reports for the samples submitted to Gulf Coast Laboratories for analyses. They were identified as follows:

| CLIENT ID | GCL# | SAMPLE DATE | DATE RECEIVED |
|-----------------|--------|----------------|------------------|
| #A Earth Sample | 122625 | 01/27/88 | 01/27/88 |
| #B Earth Sample | 122626 | 01/27/88 | 01/27/88 |
| #C Earth Sample | 122627 | 01/27/88 | 01/27/88 |

If you have any questions, please contact our laboratories.

Sincerely,

WESTON/GULF COAST LABORATORIES

John Boudreau

John Boudreau
Analytical Director

JB/lg

Enclosures



GULF COAST LABORATORIES, INC.

2417 Bond St., University Park, Illinois 60466

Phones (312) 534-5200 (219) 885-7077 (815) 723-7533

ANALYTICAL REPORT

TO: Clark Oil & Refining Company
P.O. Box 297
Blue Island IL 60406

DATE: 02/10/88

ATTN: Mr. Stafford Jacques

RE: #A-Earth Sample from 800 Tank
COR-88-18-1-26 - PO# 808750
Sample Date: 01/27/88
Date Received: 01/27/88
GCL Number: 122625

| GCL # | PARAMETERS | ANALYST | RESULTS |
|--------|------------------|---------|------------|
| 122625 | Lead EP Toxicity | jfd | < 0.5 mg/l |
| 122625 | Lead, Total | jmf | 54 mg/kg d |
| 122625 | Solids, Total | km | 97.2 % |

ANALYTICAL REPORT



GULF COAST LABORATORIES, INC.

2417 Bond St., University Park, Illinois 60466

Phones (312) 534-5200 (219) 885-7077 (815) 723-7533

The following is a list of flags that Gulf Coast Laboratories frequently uses on our analytical reports. All flags may not be applicable for the enclosed reports.

- A - Indicates a condensation product.
- B - Indicates the compound was found in the blank as well as the sample.
- C - Pesticide compound confirmed by GC/MS
- d - Result is on a dry weight basis
- D - Indicates the compound was identified in an analysis at a secondary dilution factor. If a sample is re-analyzed at a higher dilution, the "DL" suffix is appended to sample numbers.
- e - Concentrations exceed calibration range of the instrument for that specific analysis.
- E - Severe matrix interference
- J - Indicates an estimated value which is below detection limit
- P - Peaks present but do not appear to be PCBs
- R - Spike recovery not within control limit
- S - Indicates value determined by Method of Standard Addition
- U - Indicates compound was analyzed for but not detected
- W - Result is on an "as is basis" (wet weight)
- BDL - Below Detection Limit
- NA - Not Applicable
- NR - Not Required
- * - Duplicate not within control limits
- + - Correlation coefficient for MSA < 0.995
- @ - Due to matrix interference, post digestion spike is out of control limits.



GULF COAST LABORATORIES, INC.

2417 Bond St., University Park, Illinois 60466

Phones (312) 534-5200 (219) 885-7077 (815) 723-7533

Enclosed are method references for the EP Toxicity testing procedures.

On May 19, 1980, the EPA published in the Federal Register the first phase of the RCRA Laws. It defines four characteristics of hazardous waste to be used by persons handling solid waste to determine if that waste is a hazardous waste. RCRA defines a hazardous waste as a solid waste that may cause or significantly contribute to serious illness or death, or that poses a substantial threat to human health or the environment when improperly managed. EPA has listed four characteristics, any of which would characterize it as a hazardous waste. They are;

1) **IGNITABILITY** - Identifies wastes that pose a fire hazard during routine management. Fires not only present immediate dangers of heat and smoke but also are capable of spreading harmful particulate matter over large areas. In general, the following criteria establish ignitability:

Liquids - A flash point temperature below 60 C (140 F.)

Solids - Capable of causing fire through friction, absorption of moisture or spontaneous chemical reactions. When ignited burns vigorously.

*Methodology - SW-846 Method 1010. A solid sample is prepared as a 50% suspension with Ethylene Glycol. The suspension is analyzed per SW-846, Method 1010.

2) **CORROSIVITY** - Identifies wastes requiring special containers because of their ability to corrode standard materials, or requiring segregation from other wastes because of their ability to dissolve toxic contaminants. The following criteria establish corrosivity:

Liquids - A pH less than or equal to 2.0 or greater than or equal to 12.5.

Solids - Any solids that exhibits corrosive properties.

*Methodology - A 10% suspension of a solid sample is prepared for analysis by SW-846, Method 9040.



GULF COAST LABORATORIES, INC.

2417 Bond St., University Park, Illinois 60466

Phones (312) 534-5200 (219) 885-7077 (815) 723-7533

3) REACTIVITY - Identifies wastes that during routine management, tend to react spontaneously, react vigorously with air or water, are unstable to shock or heat, generate toxic gases or are explosive. Criteria that establish reactivity are any substance that:

- a) Is unstable and readily undergoes violent change without detonation.
- b) Reacts violently with water.
- c) Forms potential explosive mixtures with water.
- d) When mixed with water forms toxic gases, vapors or fumes in quantities that present danger to human health or the environment.
- e) Is a cyanide or sulfides bearing waste that can generate toxic gases when exposed to pH conditions between 2 and 12.5 units.
- f) Is capable of detonation if subjected to a strong initiating source.
- g) Is readily capable of detonation or explosive decomposition at standard temperature and pressure.
- h) Is a forbidden explosive as defined in 49 CFR 173.51, is a Class A explosive as defined by 49 CFR 173.88.

*Methodology - Total Cyanide - SW-846 Method 9010
Reactive Cyanide - SW-846 Method 9010

Reactive Cyanides is quantitated by determining the difference between total cyanide content and the cyanide content of a portion of the same sample that is suspended in approximately 400 mls of deionized water and the pH adjusted to 2 with 50% Acetic acid. The sample is stirred for 24 hours and then analyzed for total cyanides. The difference between the original result and the treated results is reported as Reactive Cyanides.

*Methodology - Total Sulfides - SW-846 Method 9030
Reactive Sulfides - SW-846 Method 9030

Reactive Sulfides is quantitated by determining the difference between total sulfides content and the sulfides content of a portion of the same sample that is suspended in approximately 400 mls of deionized water and the pH adjusted to 2 with 50% Acetic acid. The sample is stirred for 24 hours and then analyzed for total sulfides. The difference between the original result and the treated results is reported as Reactive Sulfides.



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TOXICITY - Identifies wastes that, when improperly managed, may, release toxicants in sufficient quantities to pose a substantial hazard to human health or the environment. A waste exhibits the characteristics of EP Toxicity if the extract, following the extraction procedure as described in Appendix II of 40 CFR 261, contains concentrations equal to or greater than the levels listed below:

| | |
|----------|----------|
| Arsenic | 5.0 mg/l |
| Barium | 100 mg/l |
| Cadmium | 1.0 mg/l |
| Chromium | 5.0 mg/l |
| Lead | 5.0 mg/l |
| Mercury | 0.2 mg/l |
| Selenium | 1.0 mg/l |
| Silver | 5.0 mg/l |

X
____ *Methodology - SW-846 Method 1310. All parameters above are referenced upon the attached Laboratory Summary.

____ *Methodology - SW-846 Method 1330. All parameters above are referenced upon the attached Laboratory Summary.

The other charts and graphs included with this report are the data generated during the analysis of the sample and are included for your inspection. Analyses for Copper, Nickel, Iron and Zinc are also included, but threshold values have not been established at this time. These probably will be included in the near future and are now requested by some landfills, before they will accept a waste for disposal.



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METHOD 1310 - EXTRACTION PROCEDURE TOXICITY
LABORATORY SUMMARY - RAW DATA/METHODOLOGY

EXTRACTION - Samples are prepared in accordance with SW846, Method 1310. The extractor used is a 29 RPM multiple extraction unit, per SW-846, Method 1310, Figure 3. A picture is enclosed.

ANALYSIS - A summary of instrumentation, methodology, and specific wavelength is provided below. All analyses are conducted by Standard Addition per SW-846 methodology. A correlation coefficient of 0.995 or greater is required by GULF COAST LABORATORIES, INC. Quality Control Protocol for all analyses which contain significant amounts of the parameter of interest or contain a value greater than one-tenth of the maximum value established by EPA, per the May 19, 1980 Federal Register.

| PARAMETER | METHOD | INSTRUMENT | WAVELENGTH (nm) | ADDITION LEVELS |
|-----------|---------------|------------|--------------------|----------------------|
| Arsenic | SW-846 - 7061 | P&E 5000 | 193.7 | 0.1, 0.2, 0.3 ug |
| Barium | SW-846 - 7080 | P&E 5000 | 533.6 | 0.5, 1.0, 1.5 ppm |
| Cadmium | SW-846 - 7130 | P&E 5000 | 228.8 | 0.10, 0.20, 0.30 ppm |
| Chromium | SW-846 - 7190 | P&E 5000 | 357.9 | 0.10, 0.20, 0.30 ppm |
| Copper | SW-846 - 7210 | P&E 5000 | 324.8 | 0.10, 0.20, 0.30 ppm |
| Lead | SW-846 - 7420 | P&E 5000 | 283.3 | 0.10, 0.20, 0.30 ppm |
| Mercury | SW-846 - 7470 | P&E 306 | 253.7 | 1, 2, 3 ppb |
| Nickel | SW-846 - 7520 | P&E 5000 | 231.1 | 0.10, 0.20, 0.30 ppm |
| Silver | SW-846 - 7760 | P&E 5000 | 328.1 | 0.10, 0.20, 0.30 ppm |
| Selenium | SW-846 - 7741 | P&E 5000 | 196.0 | 0.05, 0.10, 0.15 ug |
| Zinc | SW-846 - 7950 | P&E 5000 | 213.9 | 0.10, 0.20, 0.30 ppm |

For more specific information, please refer to the attached bench sheets. A copy of each chromatogram for each parameter is enclosed for your reference.



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EXTRACTION DATA

Gulf Coast Laboratories Number 122625
Volume of Mother Liquid NA ml
Mass of Solid Material Extract 100 g
Description of Solid Phase ☒ <9.5 mm ☐ >9.5 mm
Volume of 0.5 N Acetic Acid to Extractor 400 ml
Final Volume of Combined Filtrates 2000 ml

For specific pH data throughout the test, refer to attached extraction toxicity key and the extraction raw data.

EXTRACTION DATA

Gulf Coast Laboratories Number 122626
Volume of Mother Liquid NA ml
Mass of Solid Material Extract 100 g
Description of Solid Phase ☒ <9.5 mm ☐ >9.5 mm
Volume of 0.5 N Acetic Acid to Extractor 400 ml
Final Volume of Combined Filtrates 2000 ml

For specific pH data throughout the test, refer to attached extraction toxicity key and the extraction raw data.

EXTRACTION DATA

Gulf Coast Laboratories Number 122626 Dup.
Volume of Mother Liquid NA ml
Mass of Solid Material Extract 100 g
Description of Solid Phase ☒ <9.5 mm ☐ >9.5 mm
Volume of 0.5 N Acetic Acid to Extractor 400 ml
Final Volume of Combined Filtrates 2000 ml

For specific pH data throughout the test, refer to attached extraction toxicity key and the extraction raw data.

EXTRACTION DATA

Gulf Coast Laboratories Number 122627
Volume of Mother Liquid NA ml
Mass of Solid Material Extract 100 g
Description of Solid Phase ☒ <9.5 mm ☐ >9.5 mm
Volume of 0.5 N Acetic Acid to Extractor 400 ml
Final Volume of Combined Filtrates 2000 ml

For specific pH data throughout the test, refer to attached extraction toxicity key and the extraction raw data.



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EXTRACTION DATA

Gulf Coast Laboratories Number MB (Method Blank)
Volume of Mother Liquid NA ml
Mass of Solid Material Extract 100 g
Description of Solid Phase ☒ <9.5 mm ☐ >9.5 mm
Volume of 0.5 N Acetic Acid to Extractor 0 ml
Final Volume of Combined Filtrates 2000 ml

For specific pH data throughout the test, refer to attached extraction toxicity key and the extraction raw data.

~~EXTRACTION DATA~~

Gulf Coast Laboratories Number _____
Volume of Mother Liquid _____ ml
Mass of Solid Material Extract _____ g
Description of Solid Phase _____ <9.5 mm _____ >9.5 mm
Volume of 0.5 N Acetic Acid to Extractor _____ ml
Final Volume of Combined Filtrates _____ ml

For specific pH data throughout the test, refer to attached extraction toxicity key and the extraction raw data.

~~EXTRACTION DATA~~

Gulf Coast Laboratories Number _____
Volume of Mother Liquid _____ ml
Mass of Solid Material Extract _____ g
Description of Solid Phase _____ <9.5 mm _____ >9.5 mm
Volume of 0.5 N Acetic Acid to Extractor _____ ml
Final Volume of Combined Filtrates _____ ml

For specific pH data throughout the test, refer to attached extraction toxicity key and the extraction raw data.

~~EXTRACTION DATA~~

Gulf Coast Laboratories Number _____
Volume of Mother Liquid _____ ml
Mass of Solid Material Extract _____ g
Description of Solid Phase _____ <9.5 mm _____ >9.5 mm
Volume of 0.5 N Acetic Acid to Extractor _____ ml
Final Volume of Combined Filtrates _____ ml

For specific pH data throughout the test, refer to attached extraction toxicity key and the extraction raw data.



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EXTRACTION PROCEDURE TOXICITY

METHOD 1310 KEY

- A. Gulf Coast Laboratories, Inc. Log Number
- B. Sample Description
- C. Sample Weight
- D. Filtration Procedure for Liquid - Solid Separation
- E. Volume of Mother Liquid
- F. Method of Preservation of Mother Liquid
- G. Grams of Solid Material
- H. Sample Size Specifications (<9.5 mm)
- I. Volume of Deionized Water for Extraction
- J. pH Ledger
- K. Volume of 0.5 N Acetic Acid Used to Adjust pH
- L. Volume of Deionized Water Added Following Extraction
- M. Final Volume of Combined Filtrates
- N. Filtration Procedure of Solid Leachate
- O. Verification of Addition of Mother Liquid to Solid Phase Extract
- P. Verification of Temperature Control (20 - 40°C)
- Q. Time Procedure was Completed

A 122625
 B Brown Soil
 C 100g
 D Not applicable
 E Not applicable
 F Not applicable
 G 100g
 H <9.5mm
 I 1600ml

| J | HR0 | HR1 | HR2 | HR3 | HR4 | HR5 | HR6 | HR7 |
|------------|------|------|-------|------|------|------|------|-------|
| Initial | 8.85 | 6.58 | 5.78 | 5.01 | 5.22 | 4.98 | 5.23 | 5.44 |
| Final | 4.80 | 4.80 | 4.80 | 5.01 | 4.80 | 4.98 | 4.80 | 4.94 |
| Acid Added | 30ml | 60ml | 100ml | — | 50ml | — | 50ml | 110ml |

K 400 ml
 L 0ml
 M 2000ml
 N 0.45 μ m Membrane Filter, Gelman
 O Not applicable
 P Yes
 Q 1:30 P.M. 2/1/88

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TITLE

GROUP 281

PROJECT NO.

EPTOX

109

BOOK NO.

1810

A 122625
B Brown soil
C 100g
D Not applicable
E Not applicable
F Not applicable
G 100g
H <9.5mm
I 1600ml

| J | HR0 | HR1 | HR2 | HR3 | HR4 | HR5 | HR6 | HR24 |
|------------|------|------|------|------|----------------------|------|------|------|
| Initial | 8.97 | 6.51 | 5.78 | 5.12 | 5.27 | 4.99 | 5.22 | 5.48 |
| Final | 4.80 | 4.83 | 4.80 | 5.12 | 3.27 4.99 | 4.99 | 4.80 | 5.06 |
| Acid Added | 45ml | 65ml | 90ml | — | 65ml | — | 60ml | 75ml |

K 400ml
L 0ml
M 2000ml
N 0.45 μ m Membrane Filter, Gelman
O Not applicable
Q 1:30 P.M. 2/1/88 FL
P Yes
R 1:30 P.M. 2/1/88

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A 122626 Dup.
 B Brown Soil
 C 100g
 D Not applicable
 E Not applicable
 F Not applicable
 G 100g
 H <9.5 mm
 I 1600ml

| J | HR0 | HR1 | HR2 | HR3 | HR4 | HR5 | HR6 | HR24 |
|------------|------|------|------|-----|------|------|----------------------|------|
| Initial | 9.01 | 6.25 | 5.47 | 5.5 | 5.31 | 4.95 | 5.27 | 5.44 |
| Final | 4.72 | 4.81 | 4.81 | 5.5 | 4.80 | 4.95 | 5.27 5.19 | 5.19 |
| Acid Added | 70ml | 75ml | 80ml | - | 70ml | - | 60ml | 45ml |

K 400ml
 L 0ml
 M 2000ml
 N 0.45 μ m Membrane Filter, Gelman
 O Not applicable
 P Yes
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GROUP 281

PROJECT NO.

EPTOX

111

BOOK NO.

1810

A 122627

B Brown Soil

C 100g

D Not applicable

E Not applicable

F Not applicable

G 100g

H <9.5 mm

I 1600ml

| J | HR0 | HR1 | HR2 | HR3 | HR4 | HR5 | HR6 | HR24 |
|-----------------------------|------|------|------|------|------|------|------|------|
| Initial | 8.91 | 6.18 | 5.87 | 5.02 | 5.27 | 5.05 | 5.23 | 5.37 |
| Final | 4.83 | 4.83 | 4.81 | 5.02 | 4.80 | 5.05 | 4.80 | 5.37 |
| Final Acid Added | 80ml | 85ml | 80ml | — | 75ml | — | 80ml | — |

K 400ml

L 0ml

M 2000ml

N 0.45 μ m Membrane Filter, Gelman

O Not applicable

P yes

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GROUP 281

PROJECT NO.

EPTOX

121

BOOK NO.

1310

A Blank
B GC H₂O
C 100g
D Not applicable
E Not applicable
F Not applicable
G 100g
H < 9.5 mm
I 1600ml

| J | HR0 | HR1 | HR2 | HR3 | HR4 | HR5 | HR6 | HR24 |
|------------|------|------|------|------|------|------|------|------|
| Initial | 5.10 | 4.90 | 4.81 | 4.79 | 4.79 | 4.78 | 4.79 | 4.80 |
| Final | 5.10 | 4.90 | 4.81 | 4.79 | 4.79 | 4.78 | 4.79 | 4.80 |
| Acid Added | — | — | — | — | — | — | — | — |

K 0ml
L 400ml
M 2000ml
N 0.45 μ m Membrane Filter, Gelman
O Not applicable
P Yes
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Pb

PROJECT NO.

23

BOOK NO.

| 2833 nm | | Slit= 0.7 nm | Lamp=10 watts EDL | PE 5000 | | |
|-----------|--------------|--------------|-------------------|----------------|----------|--|
| GCL # | dil. | pk ht (cm) | conc ppm | result | recovery | |
| 2.0 ppm | | 20.4 | | | | |
| 1.0 ppm | | 10.3 | CC= 1.000 | | | |
| 0.50 ppm | | 5.2 | M= 0.097 | | | |
| 0.25 ppm | | 2.3 | b= 0.010 | | | |
| 0.10 ppm | | 0.7 | | | | |
| 0 ppm | | 0.1 | | | | |
| ICV | | 10.1 | 0.99 | 0.99/1.0 | 99.0% | |
| SB | | 2.4 | 0.24 | 0.24/0.25 | 96.0% | |
| LB | | 6.1 | 0.05 | 0.05 | | |
| CCV | | 5.0 | 0.50 | 0.50/0.50 | 100.0% | |
| PB 10-65 | | 0.3 | 0.05 | 0.05 | | |
| LCS | | 10.8 | 1.06 | 1.06/1.1 | 96.4% | |
| 122109 | 0.994g/100ml | 0.5 | 0.06 | 6.4mg/kgw | | |
| 122109 D1 | 1.014g/100ml | 0.7 | 0.08 | 7.9mg/kgw | 1.5/21.0 | |
| D2 | 1.054g/100ml | 0.8 | 0.09 | 8.5mg/kgw | 2.1/28.2 | |
| SP1 | 1.025g/100ml | 6.9 | 0.68 | 66.3-64/58.5 | 102.4% | |
| 122462 | 1.027g/100ml | 5.5 | 0.54 | 52.6mg/kgw | | |
| 122463 | 1.011g/100ml | 1.3 | 0.14 | 13.8mg/kgw | | |
| PB 50-66 | | 0.1 | 0.05 | 0.05 | | |
| LCS | | 10.6 | 1.04 | 1.04/1.1 | 94.5% | |
| 122573 | 1.009g/100ml | 3.0 | 0.30 | 29.7mg/kgd | | |
| 122573 D1 | 1.017g/100ml | 3.0 | 0.30 | 29.5mg/kgd | 0.2/0.7 | |
| D2 | 1.014g/100ml | 9.0 | 0.88 | 86.8-87/59.2 | 96.4% | |
| 122574 | 1.018g/100ml | 3.3 | 0.33 | 32.4mg/kgd | | |
| 122575 | 1.021g/100ml | 2.7 | 0.27 | 26.4mg/kgd | | |
| 122576 | 1.019g/100ml | 2.7 | 0.27 | 26.5mg/kgd | | |
| 122577 | 1.009g/100ml | 3.0 | 0.30 | 29.7mg/kgd | | |
| 122578 | 1.021g/100ml | 2.4 | 0.24 | 23.5mg/kgd | | |
| PB 50-67 | | 0.1 | 0.05 | 0.05 | | |
| LCS | | 10.9 | 1.07 | 1.07/1.1 | 97.3% | |
| 122749 | 1.009g/100ml | 2.7 | 0.27 | 26.8mg/kgd | | |
| 2749 D1 | 1.013g/100ml | 2.6 | 0.26 | 25.5mg/kgd | | |
| SP1 | 1.029g/100ml | 9.1 | 0.89 | 86.5-86.8/58.3 | 102.4% | |

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| GCL# | dil. | pkht (cm) | conc. ppm | result | recovery |
|--------|--------------|-----------|-----------|-------------|----------|
| 122625 | 1.005g/100ml | 5.5 | 0.54 | 537mg/kgd | |
| 122626 | 1.006g/100ml | 8.4 | 0.83 | 82.5mg/kgd | |
| 122627 | 1.012g/100ml | 11.9 | 1.2 | 118.6mg/kgd | |
| ICV | | 10.3 | 1.01 | 1.01/1.00 | 101.0% |
| SB | | 2.5 | 0.25 | 0.25/0.25 | 100.0% |
| CB | | 0.2 | 40.05 | 40.05 | |
| CCV | | 5.1 | 0.50 | 0.50/0.50 | 100.0% |

PB, comb.

| | | | | | |
|------------------|------|----------|-----------|--|--------|
| 2.0 ppm | 20.2 | | | | |
| 1.0 ppm | 10.2 | CC=1.000 | | | |
| 0.50 ppm | 5.0 | M=0.098 | | | |
| 0.25 ppm | 2.3 | b=0.009 | | | |
| 0.10 ppm | 0.8 | | | | |
| 0 ppm | 0.1 | | | | |
| ICV | 9.9 | 0.98 | 0.98/1.00 | | 98.0% |
| SB | 2.5 | 0.25 | 0.25/0.25 | | 100.0% |
| CB | 0.1 | 40.05 | 40.05 | | |
| CCV | 4.9 | 0.49 | 0.49/0.50 | | 98.0% |
| PB Leach #280 | 0.1 | 40.05 | 40.05 | | |
| 122657 Leach | 0.3 | CC=0.997 | | | |
| +0.20 ppm | 1.7 | M=0.110 | <0.5mg/d | | |
| +0.40 ppm | 3.9 | b=0.016 | | | |
| +0.60 ppm | 5.6 | | | | |
| 122657 Leach Dup | 0.6 | CC=0.999 | | | |
| +0.20 ppm | 2.2 | M=0.118 | <0.5mg/d | | % |
| +0.40 ppm | 3.8 | b=0.063 | | | |
| +0.60 ppm | 5.7 | | | | |
| 122656 Leach | 0.3 | CC=0.995 | | | |
| +0.20 ppm | 1.5 | M=0.120 | <0.5mg/d | | |
| +0.40 ppm | 3.6 | b=0.015 | | | |
| +0.60 ppm | 5.1 | | | | |

SCIENTIFIC INDENT PRODUCTION *Cont.* 50605

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| GCL # | dil. | pkht(cm) | conc-ppm | result | recovery |
|---------------|------|----------|------------------|----------------------|----------|
| 12265 Leach | | 0.3 | $\alpha = 0.999$ | | |
| +0.20 ppm | | 1.7 | $m = 0.127$ | $< 0.5 \text{ mg/l}$ | |
| +0.40 ppm | | 3.3 | $b = 0.027$ | | |
| +0.60 ppm | | 5.0 | | | |
| PB EP #179 | | 0.1 | $\alpha = 0.05$ | < 0.05 | |
| 122578 EP | | 2.0 | $\alpha = 0.999$ | | |
| +0.20 ppm | | 3.8 | $m = 0.103$ | $< 0.5 \text{ mg/l}$ | |
| +0.40 ppm | | 5.7 | $b = 0.199$ | | |
| +0.60 ppm | | 7.8 | | | |
| 122578 EP Dup | | 1.9 | $\alpha = 0.999$ | | |
| +0.20 ppm | | 4.0 | $m = 0.099$ | $< 0.5 \text{ mg/l}$ | 0% |
| +0.40 ppm | | 5.8 | $b = 0.189$ | | |
| +0.60 ppm | | 8.0 | | | |
| 122577 EP | | 1.6 | $\alpha = 0.996$ | | |
| +0.20 ppm | | 4.1 | $m = 0.101$ | $< 0.5 \text{ mg/l}$ | |
| +0.40 ppm | | 5.8 | $b = 0.181$ | | |
| +0.60 ppm | | 7.6 | | | |
| 122576 EP | | 1.9 | $\alpha = 1.000$ | | |
| +0.20 ppm | | 4.0 | $m = 0.102$ | $< 0.5 \text{ mg/l}$ | |
| +0.40 ppm | | 5.8 | $b = 0.200$ | | |
| +0.60 ppm | | 7.8 | | | |
| 122575 EP | | 1.9 | $\alpha = 1.000$ | | |
| +0.20 ppm | | 3.9 | $m = 0.104$ | $< 0.5 \text{ mg/l}$ | |
| +0.40 ppm | | 5.8 | $b = 0.200$ | | |
| +0.60 ppm | | 7.7 | | | |
| 122574 EP | | 1.7 | $\alpha = 0.998$ | | |
| +0.20 ppm | | 3.7 | $m = 0.096$ | $< 0.5 \text{ mg/l}$ | |
| +0.40 ppm | | 5.5 | $b = 0.154$ | | |
| +0.60 ppm | | 8.0 | | | |
| 122573 EP | | 1.8 | $\alpha = 0.998$ | | |
| +0.20 ppm | | 3.5 | $m = 0.098$ | $< 0.5 \text{ mg/l}$ | |
| +0.40 ppm | | 5.6 | $b = 0.159$ | | |
| +0.60 ppm | | 7.9 | | | |

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| GCL# | dil. | pkht(cm) | conc ppm | result | recovery |
|------------------|------|----------|-----------|-----------|----------|
| ICV | | 10.1 | 1.00 | 1.00/1.00 | 100.0% |
| SB | | 2.4 | 0.24 | 0.24/0.25 | 96.0% |
| CB | | 0.1 | 0.05 | 0.05 | |
| OCV | | 5.0 | 0.50 | 0.50/0.50 | 100.0% |
| 122749 EP (#279) | | 2.0 | CC= 0.998 | | |
| +0.20 ppm | | 3.7 | M= 0.101 | <0.5 mg/l | |
| +0.40 ppm | | 6.0 | b= 0.193 | | |
| +0.60 ppm | | 7.8 | | | |
| 122750 EP | | 2.0 | CC= 0.998 | | |
| +0.20 ppm | | 4.1 | M= 0.103 | <0.5 mg/l | |
| +0.40 ppm | | 5.7 | b= 0.209 | | |
| +0.60 ppm | | 7.9 | | | |
| 122751 EP | " | 1.8 | CC= 0.999 | | |
| +0.20 ppm | | 3.8 | M= 0.103 | <0.5 mg/l | |
| +0.40 ppm | | 5.5 | b= 0.183 | | |
| +0.60 ppm | | 7.7 | | | |
| 122752 EP | | 1.9 | CC= 1.000 | | |
| +0.20 ppm | | 3.8 | M= 0.102 | <0.5 mg/l | |
| +0.40 ppm | | 5.7 | b= 0.189 | | |
| +0.60 ppm | | 7.8 | | | |
| 122753 EP | | 2.0 | CC= 1.000 | | |
| +0.20 ppm | | 3.8 | M= 0.103 | <0.5 mg/l | |
| +0.40 ppm | | 5.8 | b= 0.200 | | |
| +0.60 ppm | | 7.8 | | | |
| 122754 EP | | 2.1 | CC= 0.998 | | |
| +0.20 ppm | | 3.7 | M= 0.102 | <0.5 mg/l | |
| +0.40 ppm | | 5.7 | b= 0.198 | | |
| +0.60 ppm | | 7.9 | | | |
| ICV | | 10.0 | 0.99 | 0.99/1.00 | 99.0% |
| SB | | 2.4 | 0.24 | 0.24/0.25 | 96.0% |
| CB | | 0.1 | 0.05 | 0.05 | |
| OCV | | 5.0 | 0.50 | 0.50/0.50 | 100.0% |

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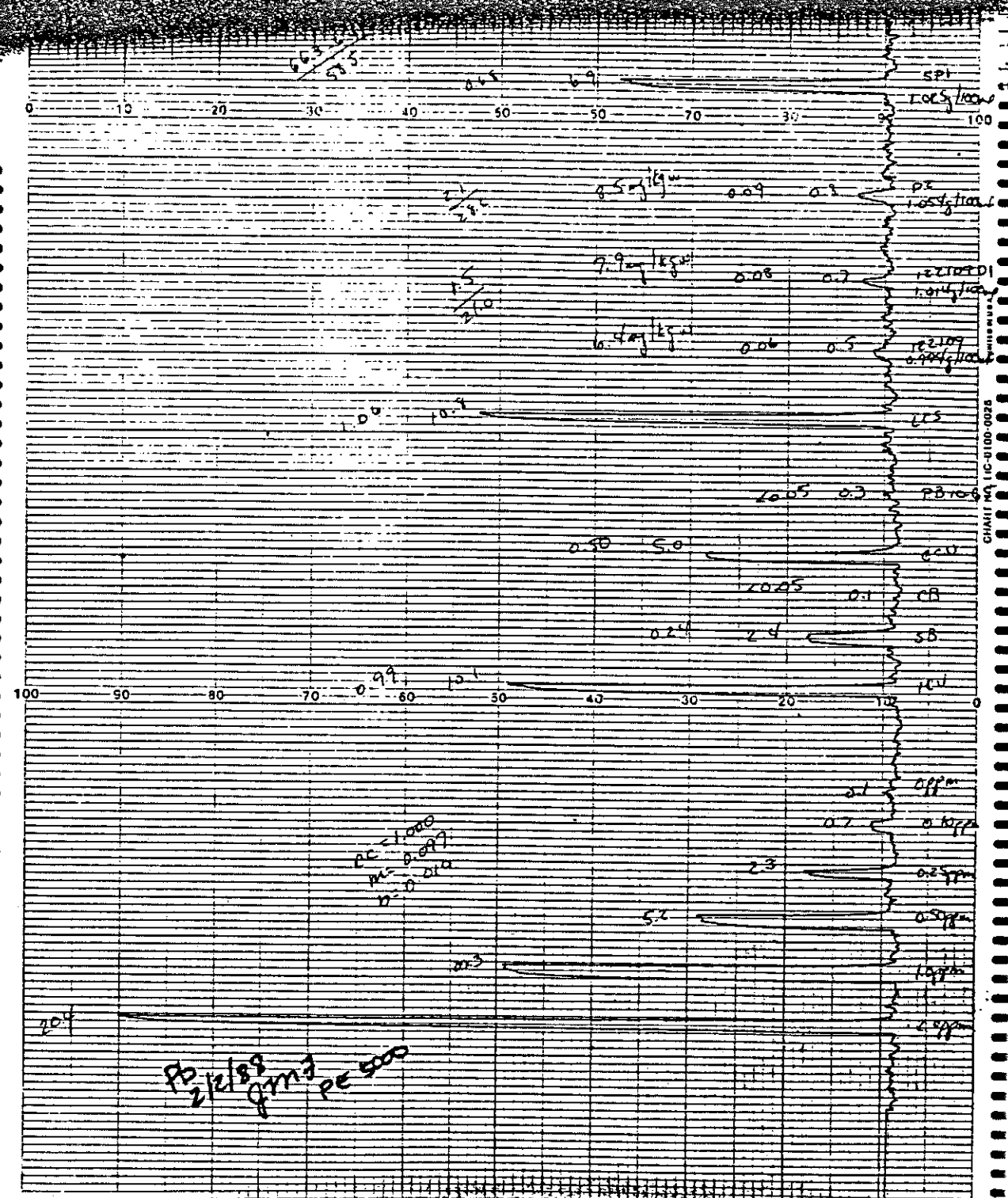
2/2/88

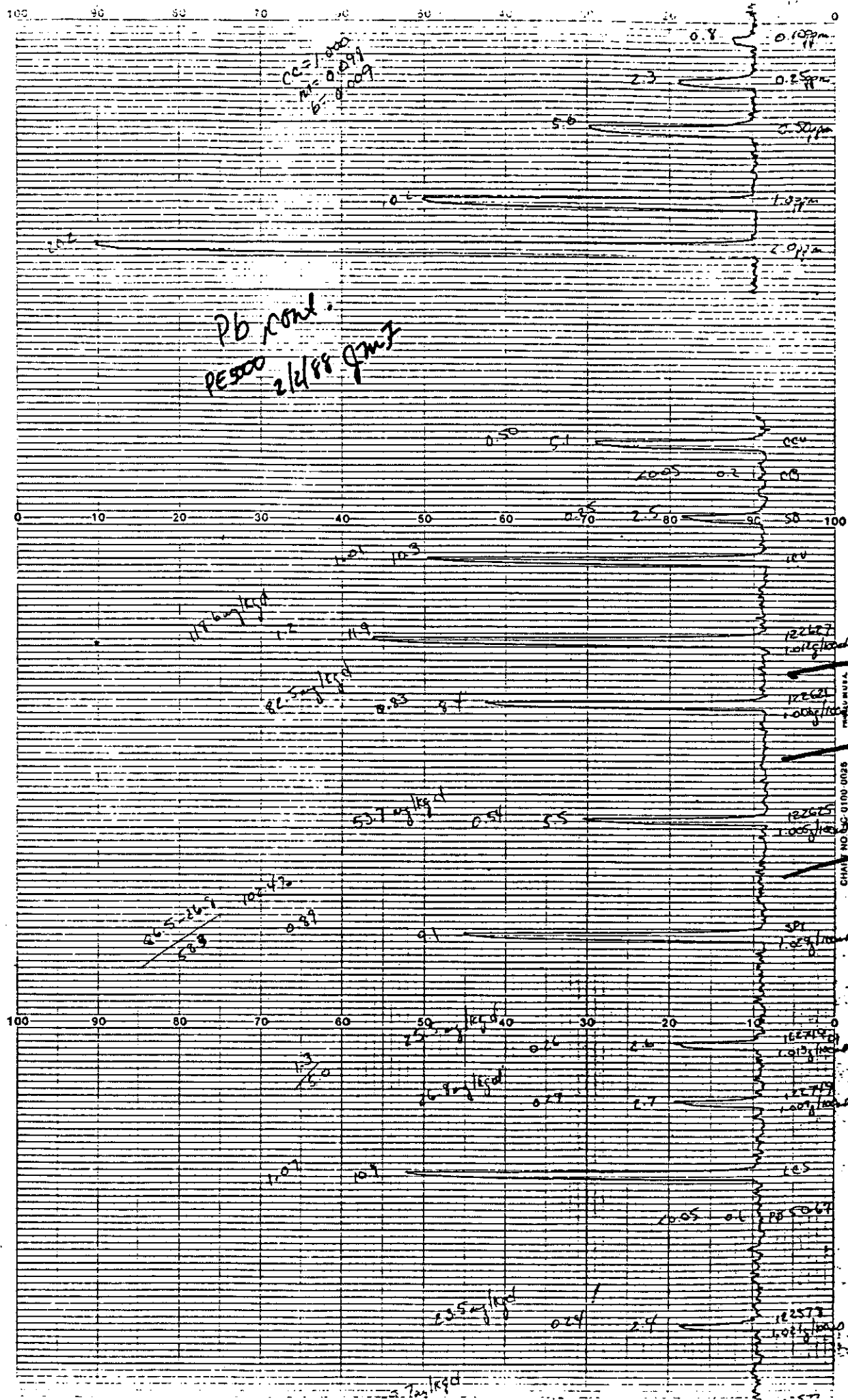
I DO SOLELY TO AND UNDERSTOOD BY

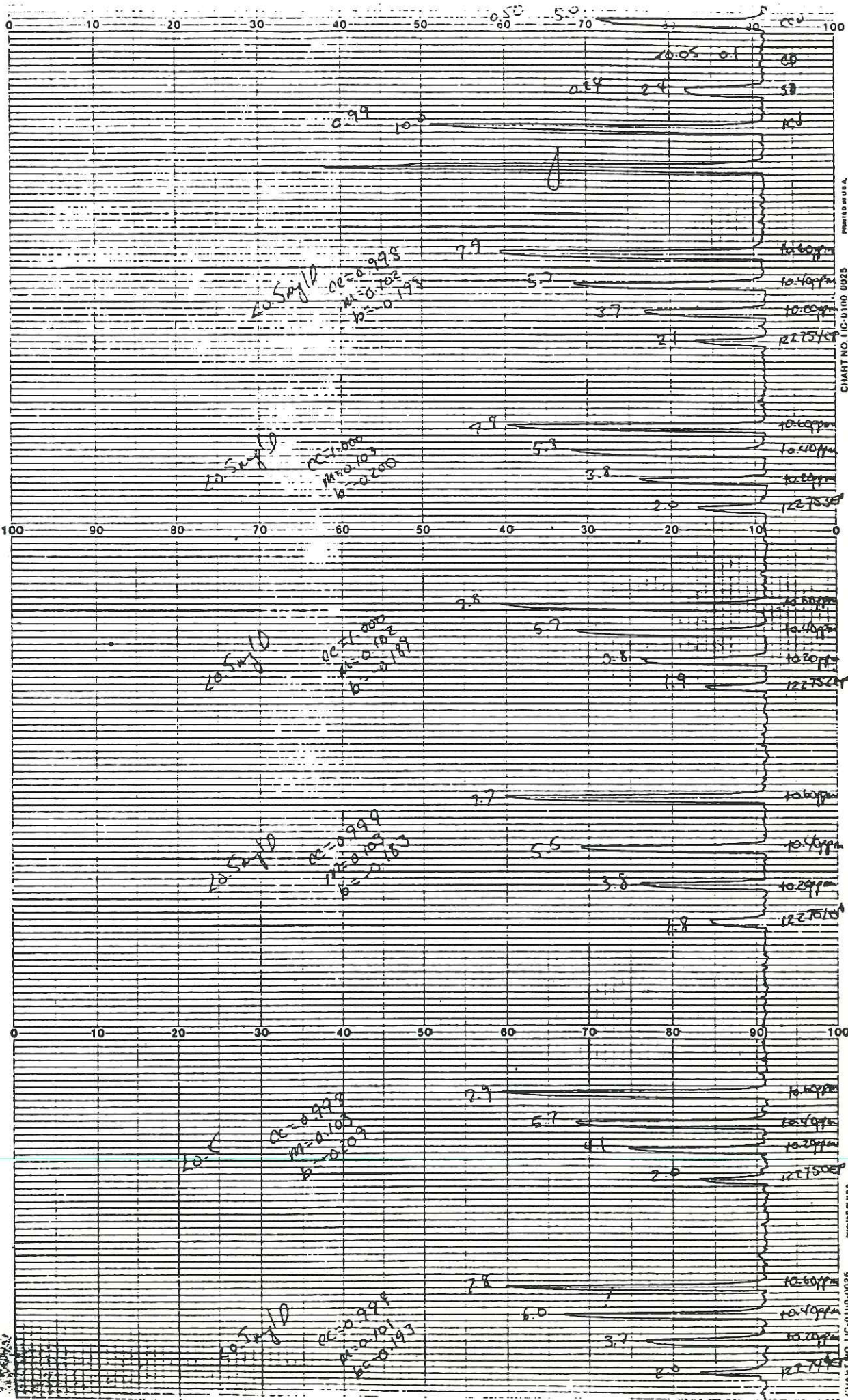
DATE

WITNESS

DATE







SCOUT NO.

2/3/88

λ = 283.3 nm slit = 0.7 nm PE370 IB lamp = 10 watts EDL

| GCL # | d.l | pk h ⁻¹ (cm) | conc(ppm) | result | recovery |
|-------------------------------|-------|-------------------------|-----------------|-----------------------------|----------------|
| 2.0 ppm | | 17.8 | | | |
| 1.0 ppm | | 8.8 | corr co = 1.000 | | |
| 0.50 ppm | | 4.4 | slope = 0.112 | | |
| 0.35 ppm | | 2.2 | y-int = 0.006 | | |
| 0.10 ppm | | 0.8 | | | |
| 0 ppm | | <0.1 | | | |
| ICV | | 8.8 | 0.993 | 0.993/1.0 | 99.3% |
| SB | | 2.4 | 0.275 | 0.275/0.25 | 110.0% |
| CB | | <0.1 | <0.05 | <0.05 mg/L | |
| ICV | | 4.3 | 0.488 | 0.488/0.5 = 97.7% | |
| DB 50-70 | | <0.1 | <0.05 | <0.05 mg/L | |
| LCS | | 9.1 | 1.027 | 1.027/1.0 | 102.7% |
| LCS | | 9.1 | 1.027 | 1.027/1.0 | 102.7% |
| 122765 (1.019g/100ml) | | 3.0 | 0.342 | 0.342 x 100 / 1.019 | 34 mg/kg d |
| 122765 Dup 1 (1.024g/100ml) | | 2.9 | 0.331 | 0.331 x 100 / 1.024 | 32 mg/kg 7/61% |
| 122765 Dup 2 (1.023g/100ml) | | 2.9 | 0.331 | 0.331 x 100 / 1.023 | 32 mg/kg |
| 122765 Spike 1 (1.025g/100ml) | | 8.0 | 0.904 | 0.904 x 100 / 1.025 = 88-34 | 110.2% |
| 122765 Spike 2 (1.023g/100ml) | | 8.0 | 0.904 | 0.904 x 100 / 1.023 = 88-34 | 110.2% |
| 122708 (1.038g/100ml) | | 9.9 | 1.117 | 1.117 x 100 / 1.038 | 108 mg/kg d |
| 122709 (1.025g/100ml) | | 3.2 | 0.365 | 0.365 x 100 / 1.025 | 36 mg/kg d |
| 122710 (1.040g/100ml) | | 0.8 | 0.0955 | 0.0955 x 100 / 1.040 | 9.2 mg/kg d |
| 122711 (1.044g/100ml) | | 8.1 | 0.915 | 0.915 x 100 / 1.044 | 88 mg/kg d |
| 122707 (1.023g/100ml) | 1/100 | 6.7 | 0.758 | 0.758 x 100 / 1.023 | 7400 mg/kg d |
| 122708 (1.033g/100ml) | 1/100 | 11.3 | 1.274 | 1.274 x 100 / 1.033 | 740 mg/kg d |
| ICV | | 8.6 | 0.971 | 0.971/1.0 | 97.1% |
| SB | | 1.9 | 0.219 | 0.219/0.25 | 87.6% |
| CB | | <0.1 | <0.05 | <0.05 mg/L | |
| ICV | | 4.2 | 0.477 | 0.477/0.50 | 95.4% |
| ICV #291 | | <0.1 | <0.05 | <0.05 mg/L | |
| 122707 EP | | 2.2 | | | |
| 0.5 ppm | | 3.8 | corr co = 1.000 | | |
| 1.0 ppm | | 5.4 | slope = 0.120 | | <0.5 mg/L |
| 2.0 ppm | | 7.2 | y-int = -0.260 | | |

SCIENTIFIC BINDER PRODUCTIONS CHICAGO 60605

F. D. Dura

READ AND UNDERSTOOD BY

DATE

WITNESS

DATE

2/3/88

DATE

PROJECT NO.

BOOK NO.

GCL #

dil

pk ht (cm)

CODr (ppm)

result

recovery

122626 EP Dup

2.2

+0.20 ppm

3.9

corr CO = 1.000

+0.40 ppm

5.6

slope = 0.118

+0.60 ppm

7.3

y-int = -0.259

<0.5 mg/L

122781 EP

2.4

+0.20 ppm

4.1

corr CO = 1.000

+0.40 ppm

6.0

slope = 0.114

+0.60 ppm

7.6

y-int = -0.274

<0.5 mg/L

122822 EP

0.5

+0.20 ppm

2.0

corr CO = 1.000

+0.40 ppm

3.7

slope = 0.122

+0.60 ppm

5.4

y-int = -0.053

<0.5 mg/L

ICV

8.4

0.948

0.948/1.0

94.8%

SB

2.0

0.23

0.23/0.25

92.1%

CB

4.1

40.05

40.05 mg/L

CCV

4.3

0.488

0.488/0.50

97.7%

SIGNATURE

James F. Dowse

DISCLOSED TO AND UNDERSTOOD BY

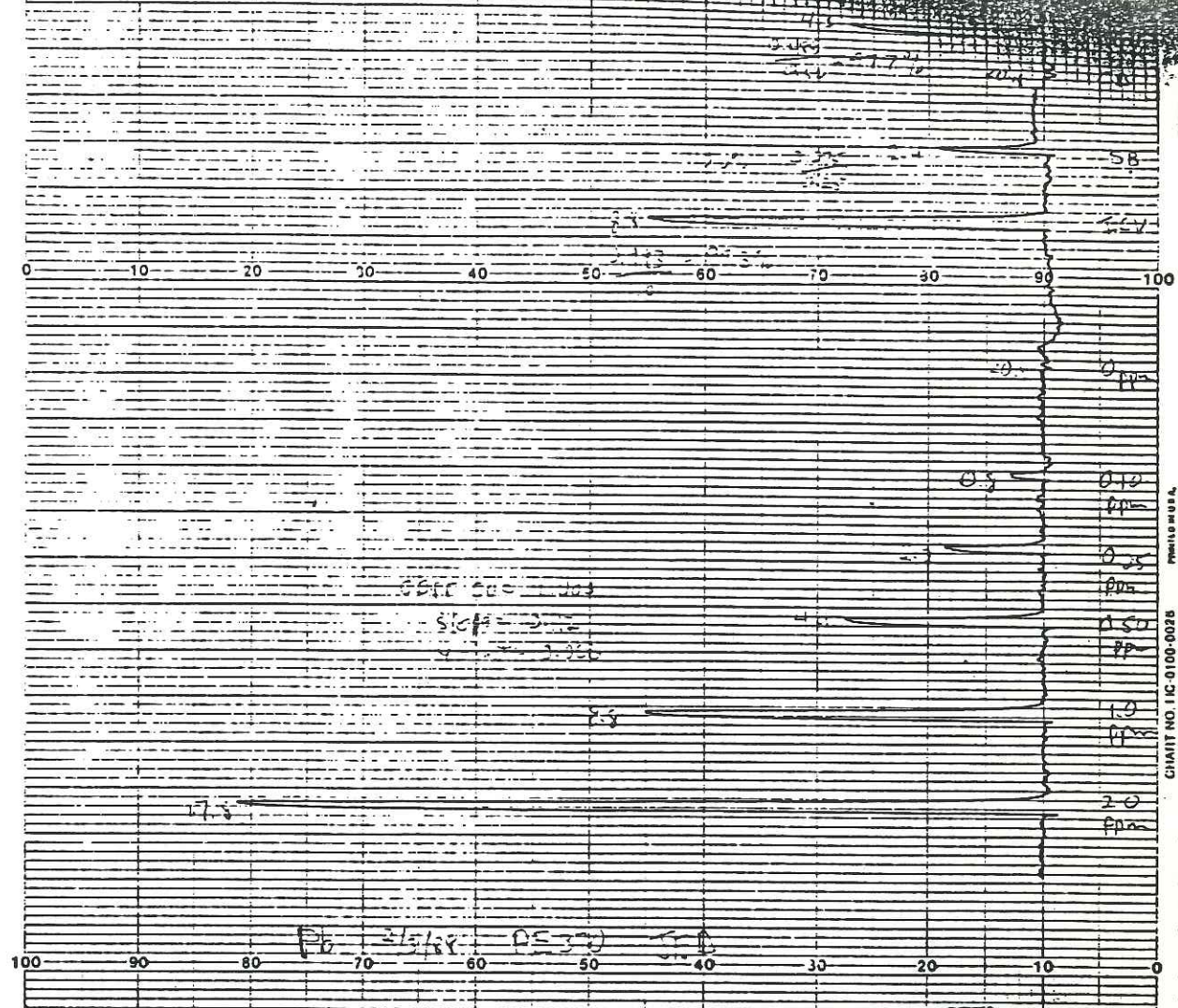
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2/3/88

DATE

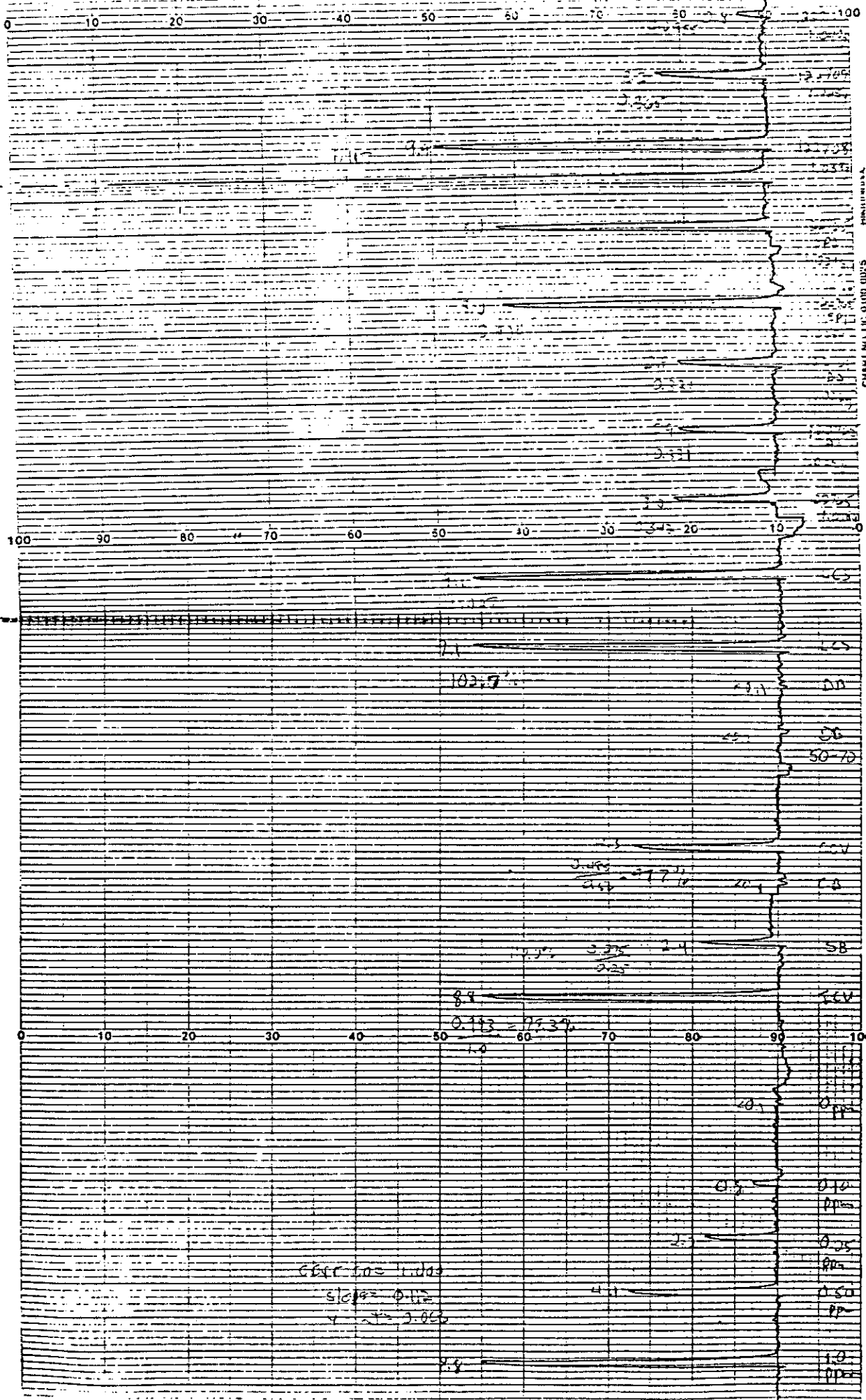
WITNESS

DATE



C O N T E N T S

CRIMINAL NO. 11C-0100-002H



CBR 100 = 1.000
 Slope = 0.112
 V = 2.060

0 10 20 30 40 50 60 70 80 90 100

100 90 80 70 60 50 40 30 20 10 0

0 10 20 30 40 50 60 70 80 90 100

CHART NO. 100 0100 0100

100 0100 0100

2/4/88

 $\lambda = 283.3 \text{ nm}$ slit = 0.7 nm PE 370 lamp = 10 watts EDL IB

| GCL # | dil | pk h+ (cm) | conc (ppm) | result | recovery |
|---|-----|-------------------------------------|-----------------|--|-------------|
| 2.0 ppm | | 19.3 | | | |
| 1.0 ppm | | 9.7 | corr co = 1.000 | | |
| 0.50 ppm | | 4.8 | slope = 0.104 | | |
| 0.25 ppm | | 2.5 | y-int = 0.006 | | |
| 0.10 ppm | | 0.9 | | | |
| 0 ppm | | <0.1 | | | |
| ICV | | 1.014 ^{9.8} ₂₇₀ | 1.014 | 1.014/1.0 | 101.4% |
| SB | | 1.0 | 0.1033 | 0.1033/0.10 | 103.3% |
| CB | | <0.1 | <0.05 | <0.05 mg/L | |
| CCV DB 50-67 | | <0.1 | <0.05 | <0.05 mg/L | |
| LCS | | 10.5 | 1.087 | 1.087/1.1 | 98.8% |
| 122749 ($\frac{1.009g}{100ml}$) | | 2.7 | 0.279 | $\frac{0.279 \times 100}{1.009g}$ | 28 mg/kg d |
| 122749 Dupl ($\frac{1.013g}{100ml}$) | | 2.6 | 0.269 | $\frac{0.269 \times 100}{1.013g}$ | 27 mg/kg d |
| 122749 Spike 1 ($\frac{1.029g}{100ml}$) | | 8.3 | 0.859 | $\frac{0.859 \times 100}{1.029g} = \frac{83-28}{58}$ | 96.6% 94.8% |
| 122749 Spike 2 ($\frac{1.019g}{100ml}$) | | 8.6 | 0.890 | $\frac{0.890 \times 100}{1.011g} = \frac{88-28}{59}$ | 101.7% |
| 122750 ($\frac{1.013g}{100ml}$) | | 2.7 | 0.279 | $\frac{0.279 \times 100}{1.013g}$ | 28 mg/kg d |
| 122751 ($\frac{1.033g}{100ml}$) | | 3.2 | 0.331 | $\frac{0.331 \times 100}{1.033g}$ | 32 mg/kg d |
| 122752 ($\frac{1.010g}{100ml}$) | | 3.2 | 0.331 | $\frac{0.331 \times 100}{1.010g}$ | 33 mg/kg d |
| 122753 ($\frac{1.013g}{100ml}$) | | 3.0 | 0.310 | $\frac{0.310 \times 100}{1.013g}$ | 31 mg/kg d |
| 122754 ($\frac{1.004g}{100ml}$) | | 2.6 | 0.269 | $\frac{0.269 \times 100}{1.004g}$ | 27 mg/kg d |
| ICV | | 9.7 | 1.004 | 1.004/1.0 | 100.4% |
| SB | | 2.3 | 0.238 | 0.238/0.25 | 95.1% |
| CB | | <0.1 | <0.05 | <0.05 mg/L | |
| ICV | | 4.8 | 0.497 | 0.497/0.50 | 99.3% |
| Blank #281 | | <0.1 | <0.05 | <0.05 mg/L | |
| EP | | 2.3 | | | |
| 1 ppm | | 4.2 | corr co = 1.000 | | |
| 10 ppm | | 6.0 | slope = 0.106 | | <0.5 mg/L |
| 100 ppm | | 8.0 | y-int = -0.242 | | |
| EP Dup | | 2.4 | | | |
| 1 ppm | | 4.1 | corr co = 0.999 | | |
| 10 ppm | | 6.1 | slope = 0.106 | | <0.5 mg/L |
| 100 ppm | | 8.0 | y-int = -0.247 | | |

SCIENTIFIC BONDARY PRODUCTIONS CHICAGO 60605

J. Dourse
AND UNDERSTOOD BY

DATE

WITNESS

DATE

2/4/88

DATE

30

TITLE Pb

PROJECT NO.

GCL #

dil

pk bt (cm)

conc (ppm)

BOOK NO.

result

recovery

| | | | | | |
|-----------|--|-----|--|-------------------------|-----------|
| 122655 EP | | 2.6 | | | |
| +0.20 ppm | | 4.6 | | corr co = 1.000 | |
| +0.40 ppm | | 6.5 | | slope = 0.105 | 0.28 mg/L |
| +0.60 ppm | | 8.3 | | y-int = -0.279 | |
| 122656 EP | | 2.1 | | | |
| +0.20 ppm | | 4.0 | | corr co = 0.998 | |
| +0.40 ppm | | 6.2 | | slope = 0.103 | 0.22 mg/L |
| +0.60 ppm | | 7.8 | | y-int = -0.219 | |
| 122657 EP | | 2.6 | | | |
| +0.20 ppm | | 4.3 | | corr co = 0.998 | |
| +0.40 ppm | | 6.6 | | slope = 0.095 | 0.23 mg/L |
| +0.60 ppm | | 8.8 | | y-int = -0.231 | |
| 122679 EP | | 2.2 | | | |
| +0.20 ppm | | 5.1 | | corr co = 0.999 | |
| +0.40 ppm | | 5.1 | | slope = 0.131 | <0.5 mg/L |
| +0.60 ppm | | 6.8 | | y-int = -0.285 | |
| 122680 EP | | 2.6 | | | |
| +0.20 ppm | | 3.9 | | corr co = 0.999 | |
| +0.40 ppm | | 5.0 | | slope = 0.164 | <0.5 mg/L |
| +0.60 ppm | | 6.3 | | y-int = -0.429 | |
| 122681 EP | | 2.5 | | | |
| +0.20 ppm | | 4.0 | | corr co = 0.998 | |
| +0.40 ppm | | 5.1 | | slope = 0.159 | <0.5 mg/L |
| +0.60 ppm | | 6.3 | | y-int = -0.413 | |
| 122682 EP | | 2.2 | | | |
| +0.20 ppm | | 3.8 | | corr co = 0.998 | |
| +0.40 ppm | | 5.2 | | slope = 0.124 | <0.5 mg/L |
| +0.60 ppm | | 7.1 | | y-int = -0.266 | |
| 122625 EP | | 1.8 | | | |
| +0.20 ppm | | 3.8 | | corr co = 1.000 | |
| +0.40 ppm | | 5.8 | | slope = 0.100 | <0.5 mg/L |
| +0.60 ppm | | 7.8 | | y-int = -0.180 | |
| 122627 EP | | 2.4 | | | |
| +0.20 ppm | | 4.4 | | corr co = 2.4 g/L 1.000 | |
| +0.40 ppm | | 6.3 | | slope = 0.104 | <0.5 mg/L |
| +0.60 ppm | | 8.2 | | y-int = -0.252 | |

SIGNATURE

James F. Drouse

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DATE

WITNESS

DATE

2/4/88

DATE

SCIENTIFIC BINDER PRODUCTIONS CHICAGO 60602

TITLE Pb

PROJECT NO.

31

BOOK NO.

| GCL # | d.l | pk ht (cm) | conc (ppm) | result | recovery |
|--------------|------|------------|------------|------------|----------|
| CV | 9.5 | | 0.983 | 0.983/1.0 | 98.3% |
| SB | 2.2 | | 0.228 | 0.228/0.25 | 91.0% |
| CB | 40.1 | | 40.05 | 40.05 mg/L | |
| CCV | 4.6 | | 0.476 | 0.476/0.5 | 95.2% |
| 122747 | 40.1 | | 40.05 | 40.05 mg/L | |
| 122748 | 40.1 | | 40.05 | 40.05 mg/L | |
| 122748 Dup | 40.1 | | 40.05 | 40.05 mg/L | |
| 122748 Spike | 4.5 | | 0.466 | 0.466/0.50 | 93.1% |
| ICV | 9.4 | | 0.973 | 0.973/1.0 | 97.3% |
| SB | 2.2 | | 0.228 | 0.228/0.25 | 91.0% |
| CB | 40.1 | | 40.05 | 40.05 mg/L | |
| CCV | 4.7 | | 0.486 | 0.486/0.50 | 97.3% |

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F. Dourse

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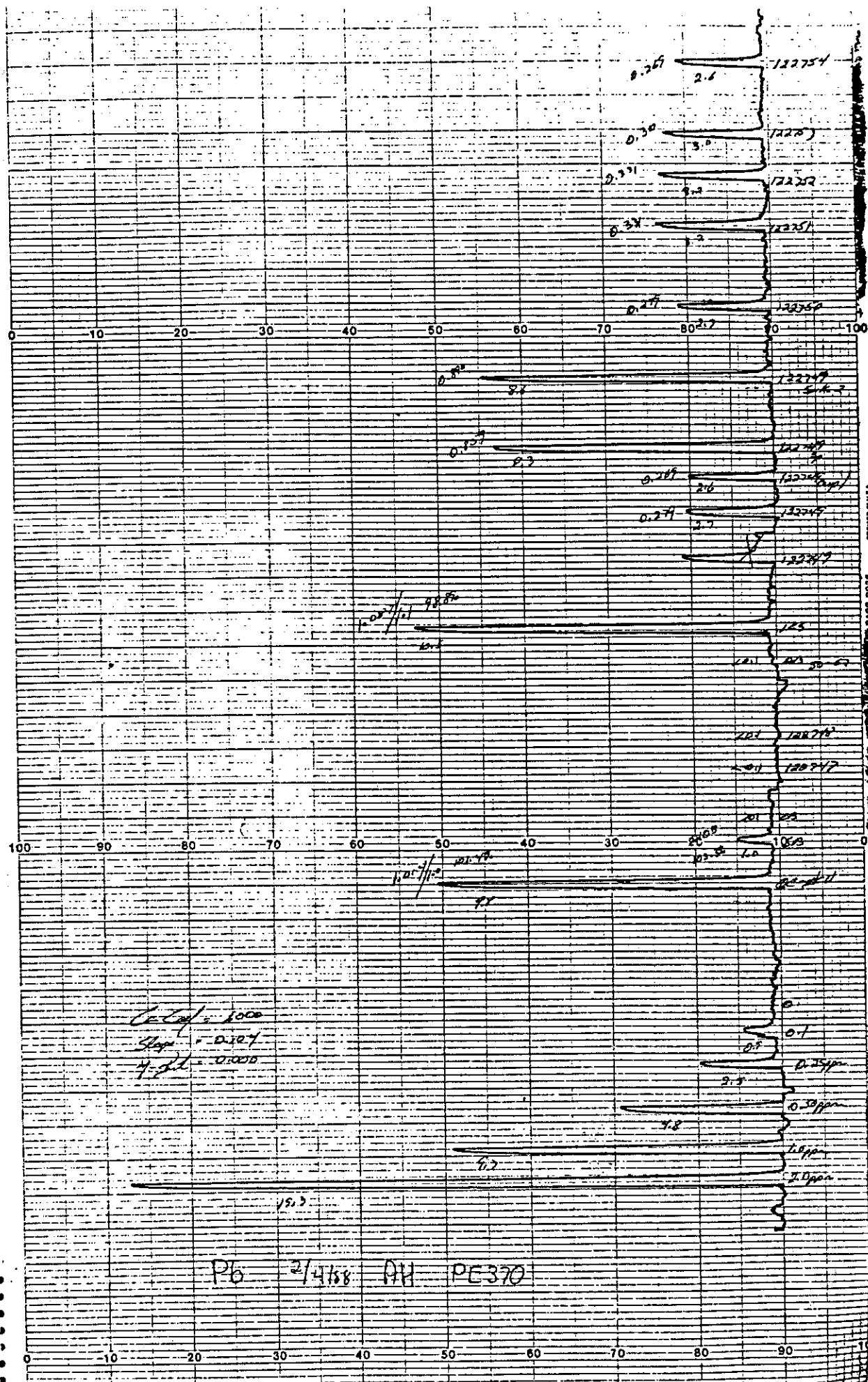
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DATE

2/4/88

DATE



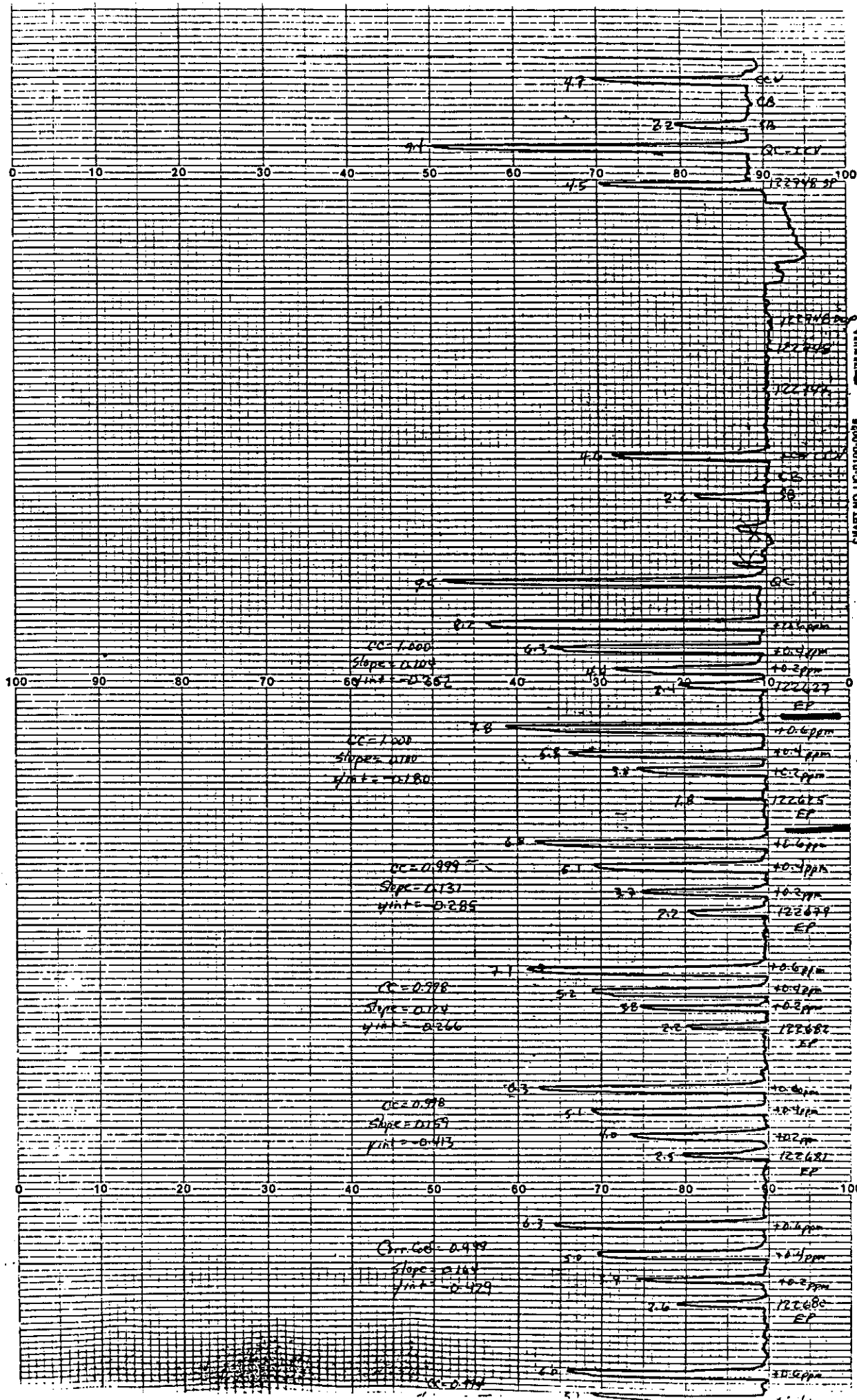


CHART NO. UC-9100-0028

CHART NO. UC-9100-0028

"Q"

CLARK OIL & REFINING CORPORATION

February 18, 1988

Clifford Gould
Illinois Environmental Protection Agency
Division of Land Pollution Control
1701 S. First Avenue
Maywood, Illinois 60153

Re: Clark Oil & Refining Corporation
Blue Island Refinery, ILD005109822

Dear Mr. Gould:

This submittal is a follow-up to our meeting of December 22, 1987.

On November 17, 1980, Clark submitted a Part A application. This submittal was made due to regulatory uncertainty. Subsequent to regulatory clarification, Clark sought to withdraw the Part A application. Attached as Attachment A is a chronology of these events.

During our discussion on December 22, 1987, Clark learned that IEPA's delay in acting on our withdrawal requests may be due to an event that occurred in 1981. Clark removed residue from a tank that previously contained leaded gasoline. This residue was placed in a lined, covered, and elevated roll off box (see Attachment B) and a disposal permit application was submitted. At no time did the contents of this container come in contact with the environment, air, water or land. Due to delay in permit issuance, this waste may not have been removed within 90 days. Attached as Attachment C is a copy of the permit and a copy of laboratory analysis demonstrating that the waste did not contain any hazardous or toxic properties.

Following your suggestion of December 22, 1987, Clark sampled the area where the above-mentioned roll off box was placed during the permit issuance procedure. A random selection of four locations in this area was made (see Attachment D). Composite samples were made at three depths: i) sample A, six inches; ii) sample B, twelve inches; and iii) sample C, eighteen inches. The results of this sampling is attached as Attachment E. Note that the analyses demonstrate the absence of contamination.

Clifford Gould
Illinois Environmental Protection Agency
February 18, 1988
Page Two

Enclosed please find a completed Part A Withdrawal Request Form.
We will be pleased to provide any additional necessary
information.

Sincerely,


John T. Bernbom

dlg

Attachments

copy to Amy Dragovich - IEPA (w/attach.)

FACILITY PART A WITHDRAWAL REQUEST FORM

Complete and Submit to:

Illinois Environmental Protection Agency
Attn: Carrie Agrall
Division of Land Pollution Control #24
Permit Section
2200 Churchill Road
Springfield, IL 62706

Date: 02 / 18 /88

Facility Name: Clark Oil & Refining Corporation
(As it appears on the Federal Printout or on the accepted Part A)

Federal ID Number: I L D 0 0 5 1 0 9 8 2 2

State ID Number: 0 3 1 0 2 4 0 0 0 5

Location of Facility: 131st Street & Kedzie Avenue
(Street Address)
Blue Island, IL 60406 Cook
(City) (Zip Code) (County)

Contact Person & Phone #: John T. Bernbom (312) 385 - 5000
(Name and Title)

A representative of our facility previously submitted a Part A RCRA Interim Status Permit Application indicating the handling of hazardous waste by the following process(es):

| <u>Treatment</u> | <u>Storage</u> | <u>Disposal</u> |
|-------------------------------------|---|-------------------------------------|
| Tank T01 <u>x</u> | Container (barrel, drum, etc.) S01 <u>x</u> | Injection Well D79 <u> </u> |
| Surface Impoundment T02 <u> </u> | Tank S02 <u>x</u> | Landfill D80 <u> </u> |
| Incineration T03 <u> </u> | Waste Pile S03 <u> </u> | Land Application D81 <u> </u> |
| *Other (Specify Below) T04 <u>x</u> | Surface Impoundment S04 <u> </u> | Ocean Disposal D82 <u> </u> |
| * <u>Use of portable containers</u> | | Surface Impoundment D83 <u> </u> |
| <u>such as drums, steel boxes,</u> | | |
| <u>and truck mounted tanks.</u> | | |

The Part A was filed in error for the following reason(s): (see attached)

| | <u>COMMENTS*</u> |
|--|---|
| <input type="checkbox"/> A. Asbestos | _____ |
| <input type="checkbox"/> B. Drum Recycling | _____ |
| <input type="checkbox"/> C. Elementary Neutralization** | _____ |
| <input checked="" type="checkbox"/> D. Elementary Neutralization and Wastewater Treatment Unit** | RCRA regulations were amended so that in-system neutralization is not considered treatment. |
| <input type="checkbox"/> E. Exempted Waste | _____ |
| <input type="checkbox"/> F. Non-Hazardous Waste | _____ |
| <input type="checkbox"/> G. Pickle Liquor*** | _____ |
| <input type="checkbox"/> H. Protective Filer | _____ |
| <input type="checkbox"/> J. Raw Materials | _____ |
| <input type="checkbox"/> K. Recycling (Specify type of recycling, and exemption claimed) | _____ |
| <input type="checkbox"/> M. Small Quantity Generator | _____ |
| <input type="checkbox"/> N. Storage less than 90 days | _____ |
| <input type="checkbox"/> P. Transfer Facility | _____ |
| <input type="checkbox"/> Q. Transporter | _____ |
| <input type="checkbox"/> R. Wastewater Treatment Unit** | _____ |
| <input type="checkbox"/> S. Non-Existing Facility (Never Built) | _____ |
| <input checked="" type="checkbox"/> T. Other | Our operations do not require treatment, storage or disposal. |
| | _____ |
| | _____ |

Include copies of any supportive documents (i.e., waste analysis, manifests, amended Part A's, etc.) to substantiate non-regulated claim.

* Comment Section should be used to explain in detail the reason for claiming non-regulated status. If more than one reason is checked, each comment should reflect the alpha letter next to each explanation.

** Whenever a Treatment Exemption is claimed, the Comment Section should indicate what process generated the waste (i.e., plating operation, metal heat treating, etc.).

*** Other than spent pickle liquor generated by steel finishing operations of plants that produce iron and/or steel.

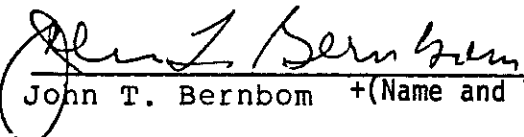
Based on the above information (check one):

- ☒ 1. Please withdraw the RCRA Part A Permit Application as our facility never treated, stored (more than 90 days) or disposed of hazardous waste since November 19, 1980 and is currently not regulated. (see attached)
- ☐ 2. Please withdraw the RCRA Part A Permit Application as our facility is exempt from regulation.
- ☒ 3. # Please withdraw the RCRA Part A Permit Application and change the regulated status to:
- ☒ a. Generator
- ☐ b. Transporter

(If number 3 is checked, a new or subsequent 8700-12 (EPA Hazardous Waste Notification) may be required).

I am aware that should our facility treat, store, or dispose of (i.e., transport, generate, treat, store or dispose of) any hazardous waste in the future, we would be required to comply with the notification and/or permitting (i.e., notification and/or permitting) requirements of RCRA.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

 Director of Environmental Control
John T. Bernbom + (Name and Title - Date) February 18, 1988

+ (Signature must be in compliance with 702.126 (i.e., responsible corporate officer or designee, general partner or the proprietor, principal executive officer of an agency, etc.)

BB:tk:3/1/42(8/5/86)



Illinois Environmental Protection Agency · P.O. Box 19276, Springfield, IL 62794-9276

217/782-6761

Refer to: 0310240005 - Cook County
Clark Oil and Refining Corporation
ILD005109822
RCRA Part A

February 19, 1988

Mr. John T. Bernbom, Director of Environmental Control
Clark Oil and Refining Corporation
131st and Kedzie Avenue
P.O. Box 297
Blue Island, Illinois 60406

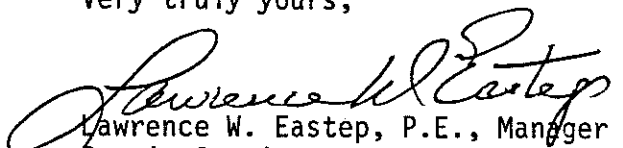
Dear Mr. Bernbom:

This is in response to your request to withdraw the Part A application for the subject facility. An Agency review of records confirms that this facility should not be reclassified as a generator only status and the Part A withdrawn at this time.

A request to withdraw your facility's Part A application should be submitted only after the container storage area is certified closed according to an Agency approved closure plan.

Should you have any questions regarding this matter please contact Amy Dragovich at 217/782-6761.

Very truly yours,


Lawrence W. Eastep, P.E., Manager
Permit Section
Division of Land Pollution Control

LWE:ALD/dh/6

cc: Maywood Region
Compliance Monitoring
USEPA V - Jim Mayka
USEPA V - Mary Murphy
USEPA V - Art Kawatachi
Division File
Amy Dragovich

RECEIVED
FEB 22 1988
CLARK OIL REF.
BLUE ISLAND, IL.

CLARK OIL & REFINING CORPORATION

February 22, 1988

Lawrence W. Eastep, P.E., Manager
Permit Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
P.O. Box 19276
Springfield, IL 62794-9276

Re: Clark Oil & Refining Corporation
Blue Island Refinery, ILD005109822

Dear Mr. Eastep:

In response to a telephone conversation with Amy Dragovich on February 18, 1988, Clark submitted an application on February 18, 1988 to your Agency to withdraw the Part A application.

Clark will be pleased to provide any additional information.

Sincerely,


John T. Bernbom

dlg

CLARK OIL & REFINING CORPORATION

February 22, 1988

Lawrence W. Eastep, P.E., Manager
Permit Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
P.O. Box 19276
Springfield, IL 62794-9276

Re: Clark Oil & Refining Corporation
Blue Island Refinery, ILD005109822

Dear Mr. Eastep:

In response to a telephone conversation with Amy Dragovich on February 18, 1988, Clark submitted an application on February 18, 1988 to your Agency to withdraw the Part A application.

Clark will be pleased to provide any additional information.

Sincerely,


John T. Bernbom

dlg

CLARK OIL & REFINING CORPORATION

March 3, 1988

Amy Dragovich
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Springfield, IL 62706

Re: Clark Oil & Refining Corporation
Blue Island Refinery, ILD005109822

Dear Ms. Dragovich:

This letter is a supplement to our submittal dated February 18, 1988.

During our recent discussions, it was verified that the handling of eight cubic yards of tank bottoms during 1981 is the source of questions concerning the withdrawal request of our Part A application.

These tank bottoms were removed and disposed of on November 3, 1981. As a result, if this material was generated prior to August 5, 1981 Clark stored the material for more than 90 days. Clark investigation clearly establishes that this material was generated after July 7, 1981; probably between July 8, 1981 and July 13, 1981. As a result, this waste was likely stored on-site for more than 90 days (i.e., between 113 and 118 days).

In view of this unfortunate circumstance, please consider the following:

Clark Oil requests Illinois EPA to grant a 30 day extension of the applicable 90 day storage time limit covering a single load of eight cubic yards of tank bottoms permitted on October 16, 1981, permit number 812076. This extension would permit storage for a 119 day period from July 7, 1981 to November 3, 1981.

Amy Dragovich
Illinois Environmental Protection Agency
March 3, 1988
Page Two

Clark believes that a favorable ruling on the above request can satisfactorily resolve this problem without the need for further action by Clark or the Agency. Please consider our prior submittal in evaluating the above request. Particularly noteworthy is previously submitted documentation that the eight cubic yards of waste did not exhibit any hazardous or toxic properties.

Thank you for your continuing efforts to resolve this problem.

Sincerely,


John T. Bernbom
Director of Environmental Control

dlg

copy to C. Gould



217/782-6762

Refer to: 0310240005 -- Cook County
Clark Oil and Refining Corporation
ILD005109822
RCRA Closure

March 28, 1988

Mr. John T. Bernbom
Director of Environmental Control
Clark Oil and Refining Corporation
131st and Kedzie Avenue
Post Office Box 297
Blue Island, Illinois 60406

Dear Mr. Bernbom:

This is in response to your request dated March 3, 1988 that a provisional variance be granted under 35 Ill. Adm. Code 722.134 for the period October 4, 1981 to November 3, 1981.

This request cannot be granted for the following reasons:

1. Section 722.134(d) did not become effective until May 1982. Therefore, in October 1981 a variance could not have been granted under 35 Ill. Adm. Code 722.134(b).
2. The provisional variance mechanism was not included in 722.134(b) until December 2, 1986.
3. The Pollution Control Board generally does not issue variances for past violations.

A request to withdraw your facility's Part A application should be submitted only after the container storage area is certified closed according to an Agency approved closure plan.

RECEIVED

MAR 31 1988

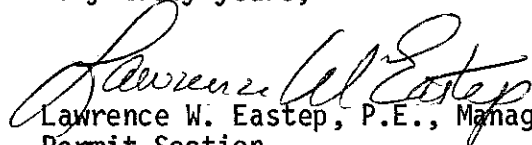
CLARK OIL REF.
BLUE ISLAND, IL.



Page 2

Should you have any questions regarding this matter please contact Amy Dragovich at 217/782-6762.

Very truly yours,


Lawrence W. Eastep, P.E., Manager
Permit Section
Division of Land Pollution Control

LWE:ALD:bjh/0826j/59,60

cc: Maywood Region
Compliance Section
USEPA V - Jim Mayka
USEPA V - Mary Murphy
USEPA V - Art Kawatachi
Division File - Closure
Amy Dragovich

CLARK OIL & REFINING CORPORATION

March 31, 1988

Lawrence W. Eastep, P.E., Manager
Permit Section
Division of Land Pollution Control
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, IL 62706

Re: Clark Oil & Refining Corporation
ILD005109822

Dear Mr. Eastep:

Your March 28, 1988 correspondence stated three reasons for rejection of our March 3, 1988 request:

1. Section 722.134(d) did not become effective until May 1982. Therefore, in October 1981 a variance could not have been granted under 35 Ill. Adm. Code 722.134(b).
2. The provisional variance mechanism was not included in 722.134(b) until December 2, 1986.
3. The Pollution Control Board generally does not issue variances for past violations.

Clark was advised by telephone today that the relief sought must be based on rules in effect at the time of possible storage. Although our March 3 request did not specifically identify current or prior rules, please consider this letter as a request for a 30 day extension pursuant to any applicable rules under which relief may be granted.

The prior version of Rule 722.134(b) provides:

A generator who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of 35 Ill. Adm. Code 724 and 725 and the permit requirements of 35 Ill. Adm. Code 702, 703 and 705 unless he has been granted an extension of the 90-day period. Such extension may be granted by the Agency if hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Agency on a case-by-case basis.

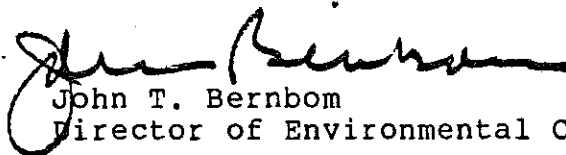
Lawrence W. Eastep, P.E., Manager
Illinois Environmental Protection Agency
March 31, 1988
Page Two

Your requirement to apply the prior rule provides a more streamlined mechanism to grant the relief requested by Clark. Application of the prior rule also resolves the three Agency objections stated above.

In the event the Agency exercises its discretion contrary to Clark's request, please advise as to the manner to appeal the Agency's determination.

Thank you for your attention to this request. Due to the complexity of this matter, Clark requests the opportunity to answer any questions or objections that may arise and will be pleased to meet with you or your staff to discuss resolution.

Sincerely,



John T. Bernbom
Director of Environmental Control

dlg



Illinois Environmental Protection Agency · P.O. Box 19276, Springfield, IL 62794-9276

217/782-5544

April 27, 1988

John T. Bernbom
Director of Environmental Control
P.O. Box 297
Blue Island, IL 60406

Re: March 31, 1988 Letter

Dear Mr. Bernbom:

As I explained in our telephone conversation of April 27, 1988, discussing your letter of March 31, 1988, the bottom-line reasoning for the Agency's letter of March 28, 1988 is that the Agency does not have the legal authority to grant the relief you have been requesting under Section 722.134.

Sincerely,

Gary P. King

Gary P. King
Senior Attorney
Enforcement Programs

GPK:rcg:16

cc: Charlie Zeal

RECEIVED

MAY 2 1988

CLARK OIL REF.
BLUE ISLAND, IL.



" X "

Clark Oil & Refining Corporation

131st & Kedzie Avenue
Post Office Box 297
Blue Island, IL 60406
312-928-5200

July 15, 1988

Karl J. Klepitsch, Jr.
Chief Waste Management Branch
U. S. Environmental Protection Agency
Region 5
230 South Dearborn Street
Chicago, Illinois 60406

Re: Clark Blue Island Refinery
ILD 005 109 822

Subject: Request for Accumulation Period Time Extension and
Withdrawal of RCRA Interim Status as TSD Facility

Dear Mr. Klepitsch:

On November 17, 1980, Clark submitted a RCRA Part A application for the above facility. A major consideration for this filing was to be legally covered if an unexpected event forced Clark to accumulate wastes beyond 90 days. Agency published clarifications and Clark waste activities have dispelled early uncertainties concerning RCRA hazardous waste management and Clark has found that a status as generator only serves Clark's needs. Accordingly, Clark has endeavored to have the interim status as a treat, store, dispose facility withdrawn; an action the Agency has encouraged protective filers to undertake. To the present time however, Clark has not been successful in accomplishing its and the Agency's desires.

Clark inquiries have found that the apparent reason the withdrawal request has not been granted is that it is probable that a 1981 accumulation time for generated leaded tank bottoms (K052) was greater than the 90 days allowed by 40 CFR 262.34. Clark records indicate the maximum accumulation days before shipping off site could not have exceeded 119 days. A chronology of events related to the accumulation is attached. Also attached is an allocation of how the 119 days were utilized by the several parties whose actions determined the duration of the accumulation.

Karl J. Klepitsch, Jr.
U. S. Environmental Protection Agency
July 15, 1988
Page Two

Clark could not have foreseen the need for an extended period. This was Clark's first accumulation attempt under RCRA and possibly because of the newness of the RCRA program, the required action of other involved parties could not be performed as expeditiously as happened after the program became more mature. Clark's subsequent waste management experience indicates that this accumulation was temporary since subsequent accumulations have been without incident and a repetition is not anticipated.

The circumstances were uncontrollable by Clark. A total of 119 days were expended from the time the as yet ungenerated waste could be sampled until movement of waste off site. Clark controlled the flow of events on only 5 of these days.

The chronology demonstrates prompt action by Clark each time action was controlled by Clark. A first sample was delivered to the independent laboratory on the day it was obtained, July 7. Laboratory analyses received on July 23 were used that day to prepare the landfill operator laboratory's required Waste Profile sheet and a required sample together with the Profile sheet and a Certification of Representative Sample sheet were delivered to the operator's laboratory the next day, July 24. A permit copy was received on October 30 (Friday) and the waste was received at the landfill on November 3 (Tuesday).

Clark has considered closure as an alternative to a retroactive 30 day extension but finds the circumstances during the on site holding period not indicative of closure. Although a listed waste, characteristic category testing found the waste nonhazardous. No waste entered the environment; it was contained in an elevated lined and covered steel roll-off box (20' L x 6' W x 4' D) from which no leakage occurred. While awaiting transit off site, it was situated in a secure refinery area used round-the-clock in refinery operations. Since nothing entered the environment a "closure" as regards this accumulation was decided as not the action to undertake.

Clark has discussed attainment of generator only status with the Illinois Environmental Protection Agency. They advised, in a letter dated April 27, 1988, that their agency does not have legal authority to grant extension to an accumulation period which occurred prior to the time the program implementation was transferred to Illinois.

Karl J. Klepitsch, Jr.
U. S. Environmental Protection Agency
July 15, 1988
Page Three

Clark asks that it be granted a 30 day extension to end November 4, 1981 for accumulation of waste removed off site on Illinois manifest 0367821 (copy attached) and that Interim Status for the site be withdrawn and replaced by generator only status.

Your attention to our request will be appreciated.

Very truly yours,


John T. Bernbom
Director of Environmental Control

dlg

Enclosures

Chronology

| | <u>Event</u> | <u>Action Party</u> |
|----------|--|------------------------------|
| 7/7/81 | Sampling and sample delivery to independent laboratory. | Clark |
| 7/22/81 | Sample tests completed and mailed to Clark. | Independent laboratory |
| 7/23/81 | Sample test results received. Waste Profile sheet and Certification of Representative Sample prepared. | Clark |
| 7/24/81 | Sample, Certification of Representative Sample, and Waste Profile sheet delivered to landfill operator laboratory. | Clark |
| 8/10/81 | Sample analysis completed | Landfill operator laboratory |
| 8/24/81 | Application sent to IEPA for permit. | Landfill operator |
| 8/27/81 | Application received. | IEPA |
| 10/16/81 | Permit issued. | IEPA |
| 10/30/81 | Permit copy received. | Clark |
| 11/3/81 | Waste taken off site to landfill. | Clark |

Addenda to Chronology
(Explanations and Descriptions)

7/7/81 The landfill operator required a completed Waste Profile Sheet and a sample to be tested by his laboratory to determine if the waste was of a nature for which the landfill was suited. Only then could he ask for a permit to receive the waste.

Clark did not have the waste analysis to prepare the Waste Profile Sheet. When the waste became accessible a sample was obtained and taken to an independent laboratory for analysis. A second sample was obtained to be later forwarded with documents to the landfill operator.

The sample was received by the laboratory.

7/23/81 Clark received from the independent laboratory the results of the tests performed on the sample they received on July 7. A Waste Profile Sheet was prepared using these results. A Certification of Representative Sample Sheet was also prepared.

7/24/81 Clark delivered to the landfill operator's laboratory the sample obtained on July 7 for this purpose, the Certification of Representative Sample Sheet, and the Waste Profile Sheet.

10/30/81 Clark received its copy of the permit issued to the landfill operator to receive the waste at the landfill. Clark arranged with the waste hauler for transport of the waste to the landfill.

11/3/81 The waste was hauled to the landfill where it was received and disposed with liners and cover. The roll-off box rented from the hauler was retained by him.

Allocation of Days

| <u>Action Party</u> | <u>Action</u> | <u>Days</u> | |
|---|--|-------------|-------|
| Clark | Document preparation and sample delivery. Hauling waste off site. | 5 | (4%) |
| Independent laboratory | Sample testing and result reporting. | 16 | (13%) |
| Landfill operator and laboratory | Sample testing and permit application preparation and submission. | 34 | (29%) |
| Regulatory agency (IEPA) | Permit approval and issuance | 64 | (54%) |
| | Total | <hr/> 119 | |

TO BE COMPLETED BY
WASTE GENERATOR

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF LAND POLLUTION CONTROL
2200 CHURCHILL ROAD, SPRINGFIELD, ILLINOIS 62706
(217) 782-6760

0367821

SPECIAL WASTE HAULING MANIFEST

Authorization Number 812076

CLARK OIL & REF. CORP.
(Company Name)

13100 S. KEDZIE AVE.
Address

FED ID ILD00 5109 822

BLUE ISLAND
City

IL
State

60406
Zip

0310240003
Generator Number

INDEPENDENT WASTE
Hauler Name

15th & CLINE AVE
Hauler Address

S.W.H. Registration Number 0078001

GARY, IN 46406

FED ID IND05 1942 563

Hauler Name

Hauler Address

S.W.H. Registration Number

DESTINATION — DISPOSAL STORAGE OR TREATMENT SITE

CID/CHICAGO
(Facility Name)

138th ST + I-94 P.O. Box 1296
Address

03160030
Site Number

CALUMET CITY
City

IL
State

60409
Zip

FED ID ILD01 0284 248

TO BE COMPLETED BY
WASTE GENERATOR

WASTE NAME: GASOLINE TANK BOTTOMS

WASTE PHASE: SOLID

(Liquid, Gaseous, Solid)

Roll off Box

THE SPECIAL WASTE BEING TRANSPORTED UNDER THIS MANIFEST IS OF THE DOT HAZARD CLASSIFICATION INDICATED IMMEDIATELY BELOW:

SHIPPING DESCRIPTION:

HAZARD CLASS:

HAZARDOUS WASTE,

ORM-E

WEIGHT FOR D.O.T. USE 25,660 LBS TONS (circle one)

SOLID, N.O.S.

NA 9189

WEIGHT FOR I.E.P.A. USE MUST BE
CONVERTED TO CU. YDS. OR GAL

QUANTITY OF WASTE DELIVERED: 8 cu yds

1 GALLONS (Circle One)
CU. YDS. 2

METHOD OF SHIPMENT (Circle One)

DRUMS

TANK TRUCK

OPEN TRUCK

OTHER (Specify)

THIS IS TO CERTIFY THAT THE ABOVE-NAMED SPECIAL WASTE IS PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED AND IS IN PROPER CONDITION FOR TRANSPORTATION, IN ACCORDANCE WITH THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION.

I HEREBY AGREE TO AND CERTIFY THE ABOVE WRITTEN INFORMATION

DATE: 11-3-81

R. J. Popelash
(Authorized Signature)

FED. EPA HAZARDOUS
WASTE NUMBER K052

WASTE HAULER

I HEREBY CERTIFY THAT THE ABOVE-DESCRIBED SPECIAL WASTE AND QUANTITY HAS BEEN ACCEPTED IN PROPER CONDITION FOR TRANSPORT AND I ACKNOWLEDGE THE DESTINATION AS INDICATED:

(1) Jon Harrington
(Authorized Signature)

DATE: 11/3/81

(2)
(Authorized Signature)

DATE: 11/3/81

DISPOSAL, STORAGE, OR TREATMENT FACILITY*

HAZARDOUS WASTE SUBJECT TO FEE YES ☒ NO

I HEREBY CERTIFY THAT THE ABOVE-DESCRIBED SPECIAL WASTE AND INDICATED QUANTITY HAS BEEN ACCEPTED AT THE SITE SPECIFIED ABOVE:

(Authorized Signature)

HAZARDOUS, SUBJECT TO FEE

DATE: 11/3/81

ENTS OR SPECIAL INSTRUCTIONS:

IN ILLINOIS: 217 / 782-3637

24 HOUR EMERGENCY AND SPILL ASSISTANCE NUMBERS

OUTSIDE ILLINOIS: 800 / 424-8802

DISTRIBUTION: PART - 1 GENERATOR

PART - 2 IEPA

PART - 3 SITE

PART - 4 HAULER

PART - 5 IEPA

PART - 6 GENERATOR

GENERATOR COPY — PART 1 - DO NOT REMOVE PART 1 FROM SET UNTIL COMPLETED.



Environmental Protection Agency
1701 S. First Street Maywood, IL. 60153

312/345-9780

Refer to: 03102405 - Cook County - Blue Island/Clark Oil
ILD005109822

May 7, 1982

Mr. R.H. Bruggink, Director
Environmental Control
Clark Oil & Refining Corporation
131st & Kedzie
Blue Island, Illinois 60406

Dear Mr. Bruggink:

An inspection of the above facility was conducted by a representative of the Illinois Environmental Protection Agency (IEPA) on March 24, 1982. This inspection was conducted by the Illinois Environmental Protection Agency under a Cooperative Arrangement with, and authorization of, the United States Environmental Protection Agency (USEPA). A copy of the inspection report is enclosed. The purpose of the inspection was to determine your facility's compliance status with the Resource Conservation and Recovery Act (RCRA) of 1976, P.L. 94-580, as amended. We are pleased to report that **your facility was found to be in compliance.**

Your cooperation and efforts in this matter are appreciated. Should you have any questions about the report, please contact Bonnie Eleder at the above number.

Sincerely,

Kenneth P. Bechely, Northern Region Manager
Field Operations Section
Division of Land Pollution Control

KPB:BLE:prb

Enclosure: Inspection Report

cc: Division File
Northern Region
U.S. E.P.A. - Region V

TO BE COMPLETED BY
WASTE GENERATOR

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF LAND POLLUTION CONTROL
2200 CHURCHILL ROAD, SPRINGFIELD, ILLINOIS 62706
(217) 782-6760

SPECIAL WASTE HAULING MANIFEST

Authorization Number 812076

CLARK OIL & REF. CORP.

(Company Name)

13100 S. KEDZIE AVE.

Address

FED ID ILD00 5109 822

BLUE ISLAND

City

IL

State

60406

Zip

0310240003

Generator Number

INDEPENDENT WASTE

Hauler Name

15th & CLINE AVE

Hauler Address

GARY, IN 46406

S.W.H. Registration Number 0078001

FED ID IND05 1942 563

Hauler Name

Hauler Address

S.W.H. Registration Number

DESTINATION — DISPOSAL STORAGE OR TREATMENT SITE

CID/CHICAGO

(Facility Name)

138th ST + I-94 P.O. Box 1296

Address

03160030

Site Number

CALUMET CITY

City

IL

State

60409

Zip

FED ID ILD01 0284 248

TO BE COMPLETED BY
WASTE GENERATOR

WASTE NAME: GASOLINE TANK BOTTOMS

WASTE PHASE: SOLID

(Liquid, Gaseous, Solid)

Roll off Box

THE SPECIAL WASTE BEING TRANSPORTED UNDER THIS MANIFEST IS OF THE DOT HAZARD CLASSIFICATION INDICATED IMMEDIATELY BELOW:

SHIPPING DESCRIPTION:

HAZARD CLASS:

HAZARDOUS WASTE,

ORM-E

WEIGHT FOR
D.O.T. USE

25660 LBS
TONS (circle one)

SOLID, n.o.s.

NA 9189

WEIGHT FOR I.E.P.A. USE MUST BE
CONVERTED TO CU. YDS. OR GAL

QUANTITY OF WASTE DELIVERED:

8 cu yds

0 GALLONS (Circle One)
CU. YDS. 2

METHOD OF SHIPMENT (Circle One)

DRUMS

TANK TRUCK

OPEN TRUCK

OTHER (Specify)

THIS IS TO CERTIFY THAT THE ABOVE-NAMED SPECIAL WASTE IS PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED AND IS IN PROPER CONDITION FOR TRANSPORTATION, IN ACCORDANCE WITH THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION.

I HEREBY AGREE TO AND CERTIFY THE ABOVE WRITTEN INFORMATION

DATE: 11-3-81

R. J. J. J.
(Authorized Signature)

FED. EPA HAZARDOUS
WASTE NUMBER K052

WASTE HAULER

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(Authorized Signature)

DATE: 11/3/81

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(Authorized Signature)

DATE: 11/3/81

DISPOSAL, STORAGE, OR TREATMENT FACILITY*

HAZARDOUS WASTE SUBJECT TO FEE YES X NO

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(Authorized Signature)

HAZARDOUS, SUBJECT TO FEE

DATE: 11/3/81

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PART - 2 IEPA

PART - 3 SITE

PART - 4 HAULER

PART - 5 IEPA

PART - 6 GENERATOR

GENERATOR COPY — PART 1 - DO NOT REMOVE PART 1 FROM SET UNTIL COMPLETED.

"W"



Illinois Environmental Protection Agency · P.O. Box 19276, Springfield, IL 62794-9276

217/782-5544

April 27, 1988

John T. Bernbom
Director of Environmental Control
P.O. Box 297
Blue Island, IL 60406

Re: March 31, 1988 Letter

Dear Mr. Bernbom:

As I explained in our telephone conversation of April 27, 1988, discussing your letter of March 31, 1988, the bottom-line reasoning for the Agency's letter of March 28, 1988 is that the Agency does not have the legal authority to grant the relief you have been requesting under Section 722.134.

Sincerely,

Gary P. King

Gary P. King
Senior Attorney
Enforcement Programs

GPK:rcg:16

cc: Charlie Zeal

RECEIVED

MAY 2 1988

CLARK OIL REF.
BLUE ISLAND, IL.

"V"

CLARK OIL & REFINING CORPORATION

March 31, 1988

Lawrence W. Eastep, P.E., Manager
Permit Section
Division of Land Pollution Control
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, IL 62706

Re: Clark Oil & Refining Corporation
ILD005109822

Dear Mr. Eastep:

Your March 28, 1988 correspondence stated three reasons for rejection of our March 3, 1988 request:

1. Section 722.134(d) did not become effective until May 1982. Therefore, in October 1981 a variance could not have been granted under 35 Ill. Adm. Code 722.134(b).
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Lawrence W. Eastep, P.E., Manager
Illinois Environmental Protection Agency
March 31, 1988
Page Two

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Thank you for your attention to this request. Due to the complexity of this matter, Clark requests the opportunity to answer any questions or objections that may arise and will be pleased to meet with you or your staff to discuss resolution.

Sincerely,


John T. Bernbom
Director of Environmental Control

dlg



CLARK OIL & REFINING CORPORATION

131st and Kedzie Avenue
Post Office Box 297
Blue Island, Illinois 60406
(312) 385-5000

April 14, 1989

RECEIVED
APR 17 1989
OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

Karl J. Klepitsch, Jr.
Chief, Waste Management Branch
U. S. Environmental Protection Agency
Region 5
230 South Dearborn Street
Chicago, Illinois 60604

Re: Clark Blue Island Refinery
ILD 005 109 822

Subject: Request for Accumulation Period Time Extension and
Withdrawal of RCRA Interim Status as TSD Facility

Dear Mr. Klepitsch:

This letter is a follow-up to prior correspondence concerning the
above.

On July 15, 1988 and October 31, 1988 Clark submitted a request
for your review (copies enclosed).

Please let me know the status of this matter and whether you
require any additional information.

Thank you for your attention to this request.

Sincerely yours,


John T. Bernbom
Director of Environmental Control

dlg

Enclosures



Clark Oil & Refining Corporation

131st & Kedzie Avenue
Post Office Box 297
Blue Island, IL 60406
312-928-5200

July 15, 1988

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Chief Waste Management Branch
U. S. Environmental Protection Agency
Region 5
230 South Dearborn Street
Chicago, Illinois 60406

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Karl J. Klepitsch, Jr.
U. S. Environmental Protection Agency
July 15, 1988
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Karl J. Klepitsch, Jr.
U. S. Environmental Protection Agency
July 15, 1988
Page Three

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Your attention to our request will be appreciated.

Very truly yours,


John T. Bernbom
Director of Environmental Control

dlg

Enclosures



CLARK OIL & REFINING CORPORATION

131st and Kedzie Avenue
Post Office Box 297
Blue Island, Illinois 60406
(312) 928-5200

October 31, 1988

Karl J. Klepitsch, Jr.
Chief, Waste Management Branch
U. S. Environmental Protection Agency
Region 5
230 South Dearborn Street
Chicago, Illinois 60604

Re: Clark Blue Island Refinery
ILD 005 109 822

Subject: Request for Accumulation Period Time Extension and
Withdrawal of RCRA Interim Status as TSD Facility

Dear Mr. Klepitsch:

On July 15, 1988, Clark submitted the subject request. The reason the request was submitted to you is that the Illinois EPA advised us that even though they now have RCRA authority the requested extension is for a time period before their authority commenced and consequently the authority to grant the extension lies with the USEPA. A telephone discussion regarding our request was held on July 28, 1988 with USEPA's Mary Villareal.

Since Illinois Hazardous Waste Management Regulation rule 703.157(f) terminates Interim Status on November 8, 1988, your early favorable response would resolve the matter.

Sincerely yours,

John T. Bernbom
Director of Environmental Control

dlg



Illinois Environmental
Protection Agency



2200 Churchill Road, Springfield, Illinois 62706

312/897-1132
23 South Stolp Avenue
Aurora, Illinois 60504

Refer to: Cook County -- 03192405 -- Blue Island/Clark Oil

September 4, 1980

Clark Oil and Refining
131st and Kedzie Avenue
Blue Island, Illinois 50406

Attention: H. Bruggink

Dear Mr. Bruggink:

A reinspection of your property located west of Kedzie, just south of 127th Street in Blue Island was made by Mary Schroeder, representing this Agency on July 30, 1980.

The inspection disclosed that your site was at the time of the inspection being operated in general compliance with the requirements of the Environmental Protection Act and the Solid Waste Rules and Regulations.

Please be reminded that should you wish to continue to dispose of special waste generated at your facility on site, the Illinois Environmental Protection Act and the Illinois Pollution Control Board Rules and Regulations must be complied with. Should you wish to dispose of a waste that may be deemed hazardous, a permit must be obtained from this Agency prior to the deposition of such a waste.

Your cooperation in this matter is certainly appreciated. If this Agency can be of further assistance, please feel free to contact us.

Sincerely,

Kenneth P. Bechely, Northern Region Manager
Field Operations Section
Division of Land/Air Pollution Control

KPB:MWS:mad/Q470H/37

Enclosure: Inspection Report

cc: Division File ✓
Northern Region

312/897-1132
33 South Stolp Avenue
Aurora, Illinois 60504

Refer to: Cook County - 03102405 - Blue Island/Clark Oil

February 14, 1980

Clark Oil and Refining
131st and Kedzie Avenue
Blue Island, Illinois 60406

Attention: Robert H. Bruggink

Dear Mr. Bruggink:

A reinspection of your property located approximately three blocks west of Kedzie, just south of 127th Street in Blue Island was made by Mary Wang Schroeder, representing this Agency on January 25, 1980.

Mr. John Bernbom and you were contacted at the time of the inspection.

The investigation disclosed that approximately 700 drums have been removed to either a reconditioning plant or to a salvage yard. It was also noted that some general refuse has been removed. However, waste material tentatively identified by you as sulfur, catalysts, resins, filter sand, coal and water and oil remain on site. It was determined during our meeting that laboratory analyses and permitting procedures for disposing of these wastes would be initiated by Clark Oil as soon as possible. Pending the results of the laboratory analyses, supplemental permits and/or manifests may be required prior to the disposal of the material.

As discussed during our meeting the general refuse and the concrete and asphalt may either be removed to an EPA approved sanitary landfill or covered with a minimum of 2 feet of natural earthen material.

Should you wish to continue to landfill a waste that is deemed hazardous, a permit must be obtained from the Agency prior to its disposal. If the waste that you wish to landfill is deemed not hazardous and is generated on site, under Section 21-E of the Illinois Environmental Protection Act, you are exempt from the Operating Permit Provisions. Please note that Section 21-E states that

"No person shall dispose of any refuse, or transport any refuse into this State for disposal, except at a site or facility which meets the requirements of this Act any of regulations thereunder."

100

Mary Wang Schroeder may be contacted by telephone at 897-1132 for discussion of the inspection or arrangements for reinspection.

Kenneth P. Bechely, Northern Region Manager
Field Operations Section
Division of Land/Noise Pollution Control

Enclosure: Inspection Report

cc: Division File
Northern Region

312/897-1132
33 South Stolp Avenue
Aurora, Illinois 60504

Refer to: Cook County - 03102405 - Blue Island/Clark Oil

February 14, 1980

Clark Oil and Refining
131st and Kedzie Avenue
Blue Island, Illinois 60406

Attention: Robert H. Bruggink

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"No person shall dispose of any refuse, or transport any refuse into this State for disposal, except at a site or facility which meets the requirements of this Act any of regulations thereunder."

Page 2

Although you may be exempt under 21-E of the Illinois Environmental Protection Act from having to obtain a permit from this Agency, you do have to comply with all other provisions of the Illinois Environmental Protection Act and Illinois Pollution Control Board's Chapter 7, Solid Waste Rules and Regulations. If you wish further clarification of the Act or the Rules and Regulations feel free to contact Laurie Breitkopf of our Legal Department at (312)345-9780.

Mary Wang Schroeder may be contacted by telephone at 897-1132 for discussion of the inspection or arrangements for reinspection.

Sincerely,

Kenneth P. Bechely, Northern Region Manager
Field Operations Section
Division of Land/Noise Pollution Control

KPB:MWS:mr/06608/11-12

Enclosure: Inspection Report

cc: Division File
Northern Region

RECEIVED

JAN 10 1980

E.P.A. — D.L.P.C.
STATE OF ILLINOIS

312/897-1132
33 South Stolp Avenue
Aurora, Illinois 60504

Refer to: Cook County - 03102405 - Blue Island/Clark Oil

January 8, 1980

Clark Oil and Refining
131st and Kedzie Avenue
Blue Island, IL 60406

Attn: Mr. Robert H. Bruggink

Dear Mr. Bruggink:

In response to your letter of December 17, 1979, indicating that you felt the property may be owned by someone other than Clark Oil; enclosed is a photocopy of the South Cook County Plat book. The approximate locations of the building and the site in question are shown on the map. The legal description of the site is as follows: NW quarter of NE quarter of Section 35 Township 37N Range 13E. If the property in question does not belong to Clark Oil and Refining please notify us. It should be noted that on subsequent visits to the site on November 19, 1979 and December 17, 1979 Mary Schroeder observed vehicles with the Clark Oil logotype on them driving throughout the site. The individuals in these trucks were observed entering the building adjacent to the site.

The December 17, 1979 visit to the site disclosed the site remains relatively unchanged. There were 250 to 300 drums present on the site. Although most of them were empty, some of the drums did contain waste. Wood, metal, paper and other general refuse was also observed. A blue-white crystal-like material, a red-brown crystalline substance and black pellet type material were observed on the site. Loads of concrete and asphalt had been deposited intermittently throughout the site.

... Your solid waste disposal site is being operated without a valid permit from this Agency, in violation of the Environmental Protection Act and Chapter 7 of the Illinois Pollution Control Board Rules and Regulations on Solid Waste. If you choose to continue to operate without a permit, you may be referred to the Illinois Pollution Control Board for legal action. The IPCB has the power to impose a penalty to persons found to be in violation of the Environmental Protection Act and/or the Solid Waste Rules and Regulations. The penalties imposed may not exceed \$10,000 for said violation, and an additional civil penalty, not to exceed \$1,000 per violation, for each day during which the violation continues. Therefore, it is suggested that you immediately discontinue accepting solid waste at your site until such time as an operating permit is obtained from this Agency. All existing solid waste should be removed to an E.P.A. approved sanitary landfill.

Page 2

Mary Schroeder may be contacted by telephone at 897-1132 for discussion of the inspection or arrangements for reinspection.

Sincerely,

Kenneth P. Bechely

Kenneth P. Bechely, Northern Region Manager
Land Field Operations Section
Division of Land/Noise Pollution Control

KPB:MWS:jmm

Enclosures: Inspection Report
Photocopy of plat

cc: Division File ✓
Northern Region

95061000433

Clark Oil/Blue Island Refinery Inspection
ILD 005109822

Lily Herskovits

James N. Mayka

A RCRA site inspection was completed at Clark Oil Blue Island Refinery. Gale Hruska and myself inspected the site on August 12, 1987. It was prompted by the unclear RCRA status of this facility. According to our records it is a TSD facility. Clark Oil requested a withdrawal of their Part A, and asked to change their status to generator only, in a letter of Oct. 8, 85. We never removed the facility from the TSD list, because IEPA requested a formal inspection to define if in fact Clark Oil is a generator or a TSD facility. As far as our record shows such an inspection was never completed.

The question is still open, does Clark a Waste Generator only and did ever store, treat or dispose hazardous waste at their site since RCRA became effective in November 19, 1980.

I tried to find an answer to this question, therefore I interviewed John Bernbom, Director of Environmental Control and his assistant Tom Freiley. Both underscored that Clark Oil is a hazardous waste generator only.

According to John Bernbom, there were different activities at the Blue Island refinery, but none of them included any waste treatment or storage.

Part of the business was sold out in October 1985 to BTL Industries, it was their chemical production plants. See attached map for site location, size and property lines after October 1985.

BTL has its own waste water pretreatment and discharge point; its property is fully separated from Clark Oil.

We discussed with John all the waste streams that are generated at the facility, what happens to those streams and what happened to them between 1980 - 1985. John informed us, that at Blue Island, Clark refines sweet crude and has the following process units:

- Atmospheric and Vacuum Destillation
- Hydrotreating
- Catalytic Reforming
- Fluid catalytic cracking
- HF Alkylation unit

John stressed that Clark Oil never stored hazardous wastes and always discharged all listed hazardous wastes into a tank car; the waste was shipped off site immediately. He also claimed that there is no API separator sludge formation, when the API separator bottoms are removed via vacuum hosing. The bottoms are sold to oil re-refiners, this was a practice at Clark even before RCRA became effective.

Gale and I walked through the refinery and their offsite facilities. We found one fuel oil tank leaking - around the bottom of the tank the dike area is full of dark No. 6 fuel oil.

There are other solid waste management areas at Clark Oil namely a closed neutralization tank for HF alkylation plant spent acid, and an open caustic pit for setting the pH after neutralization.

Waste handling:

The API bottom sludges are removed regularly - every 6 weeks by American Recovery Co. via vacuum suction into a tank car, and sent for recycling to recover oil from the emulsion. According to John there are no solids present in the bottoms. I requested test results from earlier discharged API bottoms. He promised to send me all analytical data on both, API separator sludge and DAF float.

Suggestions:

1. Request data on pH values in neutralization pit.
2. Request detailed analysis data for the API separator bottoms, the frequency of analysis and a flow chart around the API Separator. This flow chart shall indicate all the influent, effluent and return flows together with the sludge separation/removal processes.
3. Review BTL Industries RCRA status.
4. Contact IEPA regarding their withdrawal/closure inspection, to find out if any formal action followed their September 19, 1985 memo in which IEPA suggested that an inspection is necessary to determine if the facility may be withdrawn or a formal closure be required.

| | TYP | AUTH. | IL CHIEF | IN. CHIEF | MI. CHIEF | MN/WI CHIEF | OH. CHIEF | PS CHIEF | SWB CHIEF | WIND DIR |
|---------------|---------|---------------|-------------|--------------|--------------|----------------|--------------|-------------|--------------|-------------|
| INIT. DATE | 8/21/87 | JA 8/21/87 | | | | | | | | |